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PCC Scrutiny, Delivery & Performance Meeting

Date: 12 September 2018

Time: 1300-1600

Venue: Marina Room, Community Safety Hub

Agenda

| | | Presented by |
|----|---|---------------------------------------|
| 1. | Apologies For Absence | |
| 2. | Declaration of conflict of interest/disclosable pecuniary interest | |
| 3. | Notes of the previous meetings a) 20 June 2018 b) 23 July 2018 | |
| 4. | Audits and Inspections – Joint Targeted Area Inspection – Multi Agency response to the abuse and neglect in Stockton on Tees – Update | Cleveland Police |
| 5. | Audits and Inspections – HMICFRS - Crime Data Integrity, August 2018 | Cleveland Police |
| 6. | Information Management – update | Maria Hopper – Data Protection Manger |
| 7. | Force Preparations for Brexit | Cleveland Police |

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| 8. | Update on the RIPA Review | Cleveland Police |
| 9. | Appropriate Authority Liaison Meetings - Quarterly Update | OPCC |
| 10. | Defibrillators | Cleveland Police and OPCC |
| 11. | PCC Scrutiny questions – Proceeds of Crime Act Monitoring AFIs from HMICFRS Inspections Property Store Capacity | Cleveland Police |
| 12. | Any Other Business | |
| 13. | Date of next meeting – 16 November 2018 | |



Scrutiny, Delivery & Performance Meeting

20 June 2018

1000 am

PCC Conference Room

Present

Barry Copping - Police and Crime Commissioner
Simon Dennis - Chief Executive and Monitoring Officer, OPCC
Louise Drummond – Head of PQR, Cleveland Police
Jo Gleeson – Chief Finance Officer, Cleveland Police
Joanne Hodgkinson – Deputy Chief Executive, OPCC
Ciaron Irvine – Chief Superintendent, Cleveland Police
Judith Nellist – Commissioner’s Officer for Policy and Scrutiny, OPCC
Simon Nickless – Deputy 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. 11 April

Corporate Financial Monitoring Report to 31 March 2018

4. The report, submitted by the Chief Finance Officer of Cleveland Police, provided assurance that the revenue and capital plans for 2017/18 had been delivered and that the financial risks to the plan had been monitored and managed, and remedial action had been taken where necessary.
5. It was reported that the overall year-end revenue was an overspend of £350k, 0.29% of the total annual budget. The budget had been very closely managed and the end of year budget had reflected what had been reported throughout the year and if not for the pay increase would have seen a slight underspend. Savings had been made against premises and transport and maintenance and repair bills had seen a reduction due to the newness of the fleet.
6. The report highlighted that capital at the year-end stood at a £1.4m underspend due, in the main, to work connected with the Community Safety Hub and associated Cloud Based Data Centre slipping into 2018/19. Whilst slight underspends were reported it was noted that the capital budget was better managed than in with past, with a more rigorous approach adopted in reviewing capital projects and assessing if they could be completed within the timescales, based on a realistic appraisal of work that would be done or that could be deferred into the new financial year.

7. The PCC asked if the capital budget was subject to an annual re-appraisal? To which it was and also a review of projections over a 4 year period. It was noted that a business case was to be put to the OPCC which wasn't about asking for more money but on improved flexibility in the way it was spent.
8. The report also detailed spending on collaborations, an update on key schemes and other estates schemes, ICT schemes and an assessment of risks.
9. **Action** – That the report was noted

2017/18 Budget Monitoring – Outturn Report for 2017/18

10. The Chief Finance Officer of the PCC submitted a report to provide the PCC with the final position of the financial performance against the budget for 2017/18. The PCC was asked to note the following:
 - a. The Office of the PCC's budget for the year was originally £850k; £83k of this had been transferred to reserves to fund change in future years and to support the ECINs project, leaving a revised budget of £767k. Expenditure against the revised budget was £770k, leaving a small overspend of £3k.
 - b. The Corporate Services budget of £8,950k, which was revised down to £8,477k, underspent by £106k; that was in line with reporting throughout 2017/18.
 - c. The £3,245k to support PCC Initiatives and Victims and Witnesses Services, including £1,250k to invest in Neighbourhood Policing, underspent by £557k predominantly due to it taking longer than expected to recruit and fill new Neighbourhood Policing posts – which contributed to £295k not being required by the Force.
 - d. The PCC received £2,091k of additional income during the year that resulted in increased expenditure over and above that which was envisaged when the budget was set.
 - e. The PCC received a further £1,616k of income in 2017/18, which led to an underspend of the same amount, that was neither included within the original budget nor used for additional expenditure during the year. Much of this was from the award of a Special Grant from the Home Office, in year, of £1,227k.
 - f. The Force overspent by £350k, with around £320k of this resulting from the 1% non-consolidated unfunded bonus awarded to Police Officers, by the Government, from September 2017.
 - g. The Outturn before Reserves was an underspend of £1,926k
 - h. The underspend had enabled the bolstering of Earmarked Reserves to manage some of the expected risks that the organisation faces, from the potential for higher pay awards and continuing costs of legal cases, while also putting some funds into Capital Reserves to replace those that were not possible last year as a result of the overspend in 2016/17.
 - i. After taking into account all aspects of the financial performance, including transfers to the Capital programme and reserve movements the impact on the General Fund was that £58k of the underspend against budget had been transferred to General Fund. It was important however to recognise that the budget for 2017/18 was supported by transferring £2m out of General Reserves and therefore the overall balance on the General Reserve had reduced by £1,942k in 2017/18.
11. The Chief Finance Officer for the OPCC noted that 'horizon-scanning' always took place for example in areas such as ICT, national funding for initiatives that are pump primed, litigation. There had been a clear commitment by the Government to the NHS in terms of their investment and it was noted that appropriate briefing material was needed by Police Forces so that lobbying of the government could take place. It was noted that Policing in general was getting better at setting out its case but further information was needed to demonstrate the additionality of extra money and how value for money was being delivered.
12. **Action** – That a working group should be set up to cover:

- i. revisiting work previously done on value for money and additionality;
- ii. Thinking creatively about how needs and benefits could be expressed;
- iii. Consider the demand model which shows that we review all of our areas of work based on actual demand; and
- iv. Volume of demand and work linked to mental health needs and its associated cost to the force.

Corporate Financial Monitoring Report 31 May 2018 – Cleveland Police

- 13. Cleveland Police’s Chief Finance Officer submitted a report which provided assurance that the revenue and capital plans for 2018/9 were being delivered and the financial risks monitored and managed. The end of year forecast was for a break-even position. (Based on a 2% pay award and incorporation of the 1% bonus, which if they rose would result in the forecast having to be revisited).
- 14. The report identified key risks, namely 93 claims lodged in respect of the challenge to the Police Pension Schemes, historic case reviews and any additional revenue costs should pay awards be higher than assumed.
- 15. The PCC allocated the Force a Capital budget of £6,094k for 2018/19, and a full breakdown of the schemes was appended to the report. It was noted that all costs were expected to be used within the budget and ICT were expecting all projects to be fulfilled during the year. It was also noted that there would be some additional headings that would be added after a new business case had been submitted which was necessary to achieve the Chief Constable’s vision for agile working.
- 16. The PCC asked how many extra Body Worn Cameras (BWC) the Force were purchasing, in information submitted after the meeting this was noted as 120 BWV Cameras, 16 Docking stations & Power Units and 200 Repair Credits.
- 17. **Action-** that the information was noted.

2018/19 Budget Monitoring – Report to the end of May 2018 – OPCC

- 18. The Chief Finance Officer for the OPCC submitted a report that provided the PCC with an update on all areas of the budget, including forecasts about how much income would be received, progress to date against the budget and forecasts on the expenditure for the remainder of the financial year.
- 19. The PCC was asked to note the following, at the time of writing:
 - i. The Office of the PCC’s budget of £860k was expected to under spend by £15k;
 - ii. The Corporate Services budget of £9,475k was expected to underspend slightly, by £115k.
 - iii. The £3,939k to support PCC Initiatives and Victims and Witnesses Services, including £1,450k to invest in Neighbourhood Policing was forecast to breakeven at the early stage of the financial year;
 - iv. It was currently forecast that the income received by the PCC would be £20k more than the original budget;
 - v. The Force was currently forecasting to break-even;
 - vi. The total forecast outturn after the first 2 months of the financial year was that there would be a small overall underspend of £150k. There was however a number of pressures that were currently being risk managed that could change the position over the remainder of the financial year.

20. It was noted that a recent application for the continuation of a Special Grant for Operation Pandect was submitted to the Home Office for £3.3m, should the bid be successful then it would have an impact on the amount of income received and the level of expenditure made during 2018/19 by the Force.
21. In conclusion it was noted that the finances of the organisation were very tight, with the best possible service being delivered within the budgetary constraints.
22. Action –that the report and its contents was noted.

Update on the Cleveland Police Long Term Financial Plan 2018/19-2021/22

23. The Chief Finance Officer for the Force submitted a report which updated the PCC on the police officer establishment assumptions and the non-pay savings target that was incorporated in the current LTFP approved by the PCC in February 2018. The approach was consistent with the policy of maintaining financial stability and protecting service provision through identifying sufficient savings in order to provide the Force with the time and space to work up well considered plans for future years.
24. The Force set out a balanced budget for 2018/19 onwards which incorporated the need to reduce the police officer establishment to an average 1,236 FTE in 2018/19 and then reduce to 1,226 for the remainder of the plan. The budgeted 1,236 FTE reflected a reduction of 20 officers based on grades sergeant and above retirements, the Force was working to make sure that where possible the 20 reductions would not disadvantage operations.
25. The report outlined the proposed staff changes and the Chief Constable had asked for the information to be brought back to the Executive to ensure a robust process had been used when planning the changes.
26. The Force was also required to make non-pay savings in 2018/19 to 2021/22 and work was already underway to ensure savings of £250k per annum would be met.
27. Action – that the report and its contents were noted.

Control Room Review and the 101 Service

28. Cleveland Police commissioned a review of the Control Room which was jointly undertaken by Cleveland Police and its strategic partner, Sopra Steria, with support and guidance from the Business Transformation Unit. A report was produced in May 2017 which contained 70 recommendations. A year on, the PCC sought an in-depth update on the impact of those recommendations.
29. Anecdotal evidence, through a range of channels including local councillors and the Your Force Your Voice meetings, suggested that the public still had issues with both getting through to the 101 service and the civility of the call handlers. Issues regarding the 101 service were regularly brought to the PCC's attention and were of concern to the Police and Crime Panel. In the last 6 months there had been 2 complaints about the call answering time for the 101 service which were received via the PCC office. The majority of other complaints around the 101 service related to complaints against the call handling staff.
30. The PCC asked for detailed information on the following:
 - i. Details of the improvements that were made as a result of the control room review and the impact of those improvements, what was intended to be different and by when?

- ii. What was the current position with performance of the 101 service?
 - iii. An update on the implementation of the Communications Strategy and its expected benefits; and
 - iv. An update to seek assurance around the business continuity plans of the control room's move to the Community Safety Hub.
31. It was noted that following the control room review 70 recommendations had been made of which 55 were fully complete, 15 were dependent on other functionality across the organisation (intelligent call handling for example to take demand away) and a small number which could be written off as changes that were made had rendered them less relevant. The Force was confident the recommendations had broadly been met and the impact of those had meant that the calls were being answered quicker. That had been achieved through additional resource coming into call handling from the Force and Sopra Steria which had meant that performance against contract KPIs were being met. The Incident and Crime Management Team (ICMT) has helped significantly in terms of getting better resolution of incidents. The PCC discussed the issue of ensuring that the expectations of the public were managed, for example the issue of the timeliness of response was about the wider response to attending calls and not just calls answered within time.
 32. Linked to the above discussion, the intended improvements in performance of the control room review had seen improvements in the rate of incidents attended within an hour. However, there had been 360 officers in response last year compared with 305 currently and work continues to understand the right levels of resourcing. Assessments were constantly made against volume versus risk and how that was dealt with in the best possible way. For example, there had been a move of neighbourhood offices from reactive demand which had seen successes in proactive and preventative work, coming across more crime and picking things up via community interaction rather than being reactive.
 33. The PCC asked how the current levels of sickness affected the ability to manage demand. To which the Force outlined a number of initiatives to improve levels on sickness including the investment in the wellbeing centre, the review of longstanding cases, ensuring mental health support was available and also reviewing the volume of work officers were dealing with. Demand modelling software was available which made assumptions in numbers (Based on 30% annual leave, sickness, training etc) and how that equated to deployment which assisted in managing demand.
 34. The current position with regard to the 101 service, for which the PCC had access to the control room log every day, was that on average there were 900 calls a day. Of which 660 were classed as incidents, including 150 crimes, 100 advice type incidents, a reduced number of ASB incidents, but a significant increase in public safety and welfare, missing from home, mental health and domestic abuse. It presented a complex picture and the Force was looking at the balance between all available resources, not just call -handling and were looking to improve the whole system.
 35. It was noted that, compared to the past, the Force was in a far better position and throughout the back half of last year, call handling performance had steadily risen. The Force has put additional resource aimed at resolving more incidents without physical deployment of an officer or PCSO and this has improved demand management overall.
 36. A Communications Strategy had been drafted which outlined how other methods of contact with the public could be exploited and a further iteration was being submitted to the Force Performance Group. Discussion took place about the communication with the public and that there needed to be messages given about what they could and should expect from the Force as well as messages about the alternative routes in to be able to contact the Force.
 37. With regard to the management of the control room's move to the hub from a Business Continuity Plan perspective, all plans were in place and it was noted an element of the CSH project had

provided the opportunity to provide a shadow control room with improved disaster recovery facilities. The CSH would provide a state of the art control room with all of the best functionality which had been future proofed.

38. In discussing complaints it was noted that the Force had received 106 complaints last May to April with only 3 in relating to call waiting times. The PCC asked if the main complaints could be put in context, and they are split 70/30 across 'control room process issues' and 'staff behaviour'. It was noted that 50% were upheld, and where appropriate individuals are dealt with through management advice and good practice advice shared across teams as 'lessons learnt'. It was agreed that the public should expect a polite, courteous and efficient service."
39. **Action** – That the communication strategy outlines options that the Force can provide the public in terms of routes into the force, that details come back to the PCC and engagement should take place with the OPCC and the strategy should contain ambition and realistic timescales. The strategy should also be taken to the Strategic Independent Advisory Group at an appropriate time.

Protecting Vulnerable People – Update

40. Over £1m has been re-invested in protecting vulnerable people recently and the PCC considered it timely to receive an update on the impact of that funding.
41. The Chief Constable had also recently given evidence at a Home Affairs Select Committee on 1 May which was currently considering 'Policing for the Future'. Evidence given at that meeting related to the rise in vulnerability and the capacity of the police to be able to deal with that rise. That debate therefore highlighted a number of areas regarding vulnerability for which the PCC would like further information on about Cleveland's position.
42. Further information is required on
 - i. What had been the impact of the additional funding to protect vulnerable people?
 - ii. Evidence presented to the Select Committee noted that the Chief Constable of West Yorkshire police reported that 83% of the Force's time delivering services was now spent on services that were not about crime but were predominately about vulnerability instead. The Committee also heard that despite a greater understanding of demand and better working with partner agencies, demand could be difficult to manage. What percentage of time do Cleveland Police spend on services that are not about crime and were predominantly about vulnerability and whether or not demand was being met across the Force areas.
 - iii. Evidence was also presented to the committee which stated that much of the time the people who the police are dealing with required access to a timely relevant healthcare service that wasn't available. What was the current situation in Cleveland, is there adequate numbers of safe places, for people experiencing mental health problems for example, rather than taking people to custody?
 - iv. There were a wide variety of initiatives to address vulnerability across different forces. Has the Force done any analysis of the impact of initiatives in Cleveland such as the liaison and diversion service, street triage and mental health worker in the control room and if so what does that analysis reveal?
 - v. The committee heard that nationally there is a perception of a lack of trust between the NHS and the Police in sharing information and this is inhibited by the Data Protection Act. What's the position in Cleveland with sharing information about vulnerable people between agencies?
43. It was noted that the 'Towards 2020' strategy had shifted resources to vulnerability services of which many of the benefits had been realised. For example the introduction of the Vulnerable,

Exploited, Missing and Trafficked Team (VEMT) which had been praised in recent inspections. Different methods of technology were being trialled in the child abuse team to address demand concerns and the Force were assisting the Protecting Vulnerable People team to ensure they have the right number of staffing in place.

44. It was noted that the proportion of time the Force spent on crime versus vulnerability was about 23% crime and 77 % vulnerability and there had been a real drive to provide joined up responses with other emergency service and local authorities.
45. The provision of the 24 hour vulnerability suite at Roseberry Park had made a significant difference in providing places of safety for people with mental health problems. Which had a really positive knock-on effect for policing and regular discussions took place with Roseberry Park through the crisis care concordat.
46. In 2018 we have had 0 custody detentions following removal of a person under sec 136. 1 was brought before custody but detention was refused. In the last 12 months there have been 2 people detained within custody as a place of safety (which must have been Jul 17- Dec 17). In the 12 months prior to that (Jul 16 – Jul 17), 11 people were detained within custody as a place of safety.
47. The Street Triage was an excellent example of partnership working, which involved Mental Health professionals who made professional risk based assessments. The Force's presence on the Health and Wellbeing Board ensured that the Force know what issues are emerging. The Force was satisfied that they could find places of safety for people with mental health problems and were working with partners to ensure joined up pathways.
48. It was noted that more initiatives to address vulnerability were needed, analysis of the street triage was being undertaken by the commissioners and work was taking place to see what other provision was out there and what pathways were available to individuals.
49. With regard to data sharing, the E-Cins project ensured good data sharing between agencies, work with the voluntary sector was on a case by case basis, and the Data Protection Act didn't inhibit sharing information if due diligence was done at the outset.
50. **Action** – that the information was noted.

It was at this point Simon Dennis joined the meeting.

Digital Stop and Search – Privacy International Report

51. A recent report on digital stop and search by Privacy International was brought to the attention of the PCC via the APCC. A freedom of information request was sent to all forces and Cleveland was one of 5 forces who did not respond. The report noted that the police could take data from phones without a warrant or consent. Privacy International had uncovered an absence of national guidance and conflicting views between forces as to the legal basis to search, download and store personal data.
52. The PCC therefore sought information on why the Force did not respond to the survey and details of the Force's policy for data extraction from mobile phones.
53. The Force confirmed that they replied to the FOI responses on 15th May and assurance work was taking place as to the matters raised. The Force's approach would be tested when national

guidance was received. In the interim the Force was ensuring that practices in digital forensics were operating effectively.

54. **Action** – That the Force would report back to the PCC to report on compliance in November 2018.

PCC Questions

Cleveland Benefits Statement

55. THE PCC received the personalised force benefits statement on 27 April from the police ICT Company. The PCC sought an assurance about what the Force was paying for and what the Force was getting and that the Force was not paying a flat rate cost which is then divided equally between all forces and the cash benefits are shared out based on force size?
56. The Police ICT Company was a key partner of the Police ICT Technology Council which the Head of ICT was a member. The key activity of the Police ICT Company was to leverage procurement economies of scale with those suppliers that the majority of Police Forces buy products from and where there were no national contracts in place. They were also involved in mediating with regards to the National ICT initiatives which could cost all forces a considerable amount of money. These schemes include the digitisation agenda, big data and automation/artificial intelligence. It cost £60,000 per annum which was currently paid for by the PCC. The Force had engaged on the following arrangements which have been facilitated by the Police ICT Company:
- i. IBM i2 Extension – this did not bring any cashable savings, but brought some additional benefits such as a route to market and additional services.
 - ii. EE Network access offer – The force were in the process of signing up to the arrangement which it was hoped would generate savings of £83k over 3 years.
 - iii. VM ware – actual savings were difficult to identify as part of is paid for by SopraSteria, however it provides access to a technology fund which has allowed us to procure new licences and products either via this fund or heavily discounted.
 - iv. Future Microsoft Licence agreements which should benefit the force in 2020 when a large scale procurement would be required.
57. **Action** – That the information was noted

National Changes to Strategic Contracts

58. There was a recent occasion where the OPCC was required to sign a contract for Novation where the OPCC would have benefitted from additional information. The PCC would like to seek an assurance that when there are national changes with respect to strategic contracts that it would be useful to discuss with the Force any areas where there are changes that may affect operational service in advance of the request for the contract to be signed.
59. There have been a number of strategic contracts circulated to police services, notably a number in the third and last quarters of FY 2017/18 which had been provided to OPCCs and CCs to endorse and sign. These contracts have been provided at short notice by NPCC, following a degree of national consultation, either at NPCC or through specific requests to forces for feedback. The circulation of these consultations and the ensuing contract revisions/contracts had been patchy in respect of a coordinated and consistent process. Contracts for consideration by PCC and CC were received into force departments and on occasions were provided direct to legal services, though the latter was less frequent. The issue of early promulgation, timely consultation and feedback remained an issue for Cleveland Police but was not isolated to Cleveland, having occurred in similar circumstances across the Evolve forces. Whilst this was generally out of forces' or OPCCs' control,

action had been taken to streamline the process so that greater time was given to consideration of the contracts and impacts.

60. **Action** – that the information was noted.

Any Other Business

61. None

Date of Next meeting

62. 12 September – Cleveland Community Safety Hub



Scrutiny, Delivery & Performance Meeting

23 July 2018

1200-1300

Transporter Room, Community Safety Hub

Present

Barry Copping - Police and Crime Commissioner

Simon Dennis - Chief Executive and Monitoring Officer, OPCC

Judith Nellist – Commissioner’s Officer for Policy and Scrutiny, OPCC

Simon Nickless – Deputy Chief Constable, Cleveland Police

Hannah Smith – Support Officer for PCC Services and Communications, OPCC

Maria Hopper – Data Protection Manager, Cleveland Police

Mark Thornton – Superintendent, Cleveland Police

Elise Pout, Standards and Scrutiny Manager, OPCC

Apologies for absence

1. Joanne Hodgkinson – Deputy Chief Executive

Declarations of Conflict of Interest/Disclosable Pecuniary Interest.

2. None declared.

Information Management

3. The meeting was called for the PCC to seek assurance from the Force about the plans that had been put in place to manage a recent data breach and to formally gain an oversight of work that was taking place within the area of data protection and information management generally.
4. There had recently been a data breach incident that the Force had referred to the Information Commissioners Office and the Independent Office for Police Conduct. Rather than discuss the specific detail of the incident at the meeting it was considered prudent to consider what learning had taken place and what strategies and plans the Force had, or were going to, put in place to ensure that data breaches were prevented in the future. It was anticipated that this would demonstrate to the Information Commissioner’s Office (ICO) that the local policing body had taken ownership of the issues and highlight that internal scrutiny had taken place.
5. The meeting also presented the opportunity to consider the wider issues around how information management took place within the Force and its compliance with deadlines concerning the Freedom of Information Act (FOI) requests and the implementation of the new General Data Protection Regulation (GDPR) regulations.
6. In order to consider the above, the PCC sought details on the following:
 - a. What instant lessons had been learnt as a result of the data breach and what mitigating actions were put in place immediately?
 - b. The totality of the recommendations that had been made by the Force arising from the data breach, including a clear and costed timetable of objectives which will outline what will be different and by when.

- c. What training infrastructure had previously been in place for staff regarding data protection and information management? Had any improvements been identified and, if so, what were they and when would they be implemented?
- d. With regard to the broader information law in general:
 - What has taken place within the Force to prepare for and implement the new GDPR regulations?; and
 - What was the current rate of response to FOI requests and what work has taken place to ensure efficient compliance, as set out within the Freedom of Information Act to FOI requests into the Force?

7. Immediate Actions that took place following the data breach were listed as follows:

- The Force contacted all individuals named in the book that had been found by a member of the public;
- Safeguarding and support had been given particular priority and the Force had liaised with partners to assist in that endeavour;
- The incident was referred to ICO within 3 hours of it being notified and referred to the Independent Office for Police Conduct (IOPC);
- As an immediate and interim solution a number of lockable cases were purchased for staff who dealt with the most sensitive information to provide safer transportation;
- A Gold group was set up (the Office of the Police and Crime Commissioner (OPCC) attend for openness and transparency);
- Significant investigations and a community impact assessment took place;
- Messages went out to staff to ensure that they were aware of the risks and the Force ensured that it was in a position to be able to give advice on handling information as soon as possible;
- Best practice messages had gone out on 'messages to all' which offered pragmatic advice to include 'agile' working;
- Then Deputy Chief Constable (DCC) was managing compliance with NCALT training level 1 – and significant progress had been made, information asset owners had to be trained to level 2 and Senior Information Risk Owner (SIRO) to level 3 and progress on compliance with this was being monitored weekly by the DCC. Training on GDPR had been planned and was awaited; and
- Support has been provided to the officer involved.

8. Work that had already taken place was noted as follows:

- The Data Protection Manager had given a number of presentations on the significance of GDPR to staff; and
- There was an Information Asset Owners Group in place which meant that the management of information had oversight by a senior manager which was linked to understanding the risks across the organisation. It was noted by the Chief Executive of the OPCC that the level of information presented at the information asset owners meeting was of excellent quality and had been extremely helpful to senior practitioners. The OPCC attended those meetings which were well attended, important questions were being asked and everyone had the opportunity to contribute.

9. On-going and future work was noted as follows:

- One of the biggest risks that had been identified was the Force's use of day books or 'blue books' and loose papers, all books issued to all members of staff would now be traceable and include a serial number with records kept of the books that had been issued to each officer/staff member. New books that were being rolled out would involve tear out pages that enabled sensitive information to be scanned and the paper copy would then be destroyed, which left books with limited sensitive information. All 'blue books' would be recalled, with a 'Blue book' amnesty for retired officers;

- An electronic device was being considered as a replacement for the physical pocket note book (PNB);
 - There would be a roll out of laptops to move the organisation to becoming paperless,
 - The focus of the work was risk based, therefore, in the first instance, work had taken place in the departments which were considered the biggest risk and a range of options were being considered for other departments;
 - All training records had been reviewed to establish where the gaps were in relation to the handling of data and any gaps were to be addressed;
 - The Data Protection Manager was undertaking a benchmarking exercise with other forces to assess good practice elsewhere;
 - A policy was being written which would provide advice to people leaving the organisation with regard to taking information; this issue would also be included in the leavers check sheet as a prompt for managers to ensure that sensitive information did not leave the Force;
 - Due diligence was being undertaken prior to any investigation by the ICO, the CFO from the OPCC had a duty to consider the magnitude of the potential fine alongside the Force.
 - Discussion took place about people who made conscious decisions to not adhere to guidance and procedures around the handling of information, which it was noted would be considered on a case by case basis and a policy would be needed.
10. The PCC was assured by the proactive work that was taking place which it was considered could only be seen as positive. The PCC sought assurance on the specific work that was taking place to secure information from people leaving the organisation and those that had already left to ensure that the information belonging to the Force was recovered and preserved.
 11. Moving on to the compliance with the Freedom of Information Act (FOI), it was noted that the number of responses completed within 20 days was 72%, up from 24% 12 months ago. The target was 90%, a review was taking place of all outstanding requests taking into consideration the lack of resilience within the small team.
 12. The PCC asked how many FOI requests the Force received. In additional information given after the meeting it was noted that the total number of FOI request were as follows 2015 – 906, 2016 - 1105 and 2017-1102. However it was noted that the numbers of requests didn't always paint a true picture as one request may contain a number of questions.
 13. It was also noted that the number of Subject Access Requests had increased by 300% since GDPR.
 14. For the record the Chief Executive of the OPCC provided an update on Information Management within the OPCC, which outlined the move from a paper based system to an IT based document management system, called IKEN, through which the majority of the OPCC's information was processed. Where information was no longer required the support team had the ability to close the 'folder' which was archived in line with the retention and disposal policy.
 15. The OPCC had also been offered the supply of the new books with tear of pages and staff had been reminded to complete the NCALT 1 training and assurances were given that all OPCC staff would complete that level of training.
 16. The OPCC had worked hard to ensure its readiness for the introduction of GDPR and offered to assist the Force in this area for example in order to provide a level of resilience to the Data Protection Officer the OPCC offered to provide a back up to the DPO in assisting with notifications of data breaches.

Actions

17. That the Force bring details of the progress on work as detailed in the minutes to an additional Scrutiny, Delivery and Performance meeting in September. This would include a full and detailed presentation of a costed and detailed plan, with relevant timescales, to cover all the potential questions that may be asked as part of the ICO investigation. That meeting would also consider (in a closed session as appropriate) any advice to the PCC about the potential of any anticipated impact of the fine levied on the Force by the ICO in the context of the Force's finances overall
18. That an update on the broader issues regarding information management additional information, including FOI and GDPR compliance be scheduled in to the scrutiny programme for a later date.



Scrutiny, Delivery & Performance Meeting

12 September 2018

Audits and Inspections – Joint Targeted Area Inspection – Multi Agency response to the abuse and neglect in Stockton on Tees – Update

Purpose of the Report

1. Between 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. A number of key strengths were identified as well as a number of Areas for Improvement (AFIs).
2. At the Scrutiny, Delivery and Performance meeting on 11 April the PCC was updated on the Force's response to the AFIs. Included in that was a discussion regarding the demand tool that was being used to assist in managing the demand. It was proving positive at the time of writing but the overall outcome was still to be seen.
3. The corporate team were also looking at the Strategic Threat and Risk Assessment (STRA) in order to gain a further understating of demand, abstractions and staffing. Processes were also being considered in order to establish the effect of workloads. Given that projected demand was set to increase the PCC requested that a further update should be provided in three months' time to allow for the results of the work to understand and manage demand to be concluded.

Information Required

4. The PCC would like details on the following:
 - a. An in-depth update on the current levels of demand in PVP.
 - b. The results of the work that has been undertaken to manage demand.

Actions Arising

5. That the information is noted and any further updates required if appropriate.



Scrutiny, Delivery & Performance Meeting

12 September 2018

Audits and Inspections – HMICFRS Crime Data Integrity, August 2018

Purpose of the Report

1. In advance of the publication of the HMICFRS Crime Data Integrity inspection report the PCC considered the areas for improvement that emerged from the recent HMICFRS debrief at the Scrutiny, Delivery and Performance meeting on 11 April. The PCC sought assurance that any safeguarding issues had been addressed and what steps were being taken to address the areas of improvement that had been identified in the inspection. It was noted at that time, that an action plan had been produced and positive benefits were being seen.
2. The report was subsequently published in August 2018 and the Force was graded as 'Inadequate'. Despite the advances the Force's compliance with national crime recording standards were unacceptable in the following areas:
 - The Force was currently under-recording violent crimes
 - The process for identifying domestic violence incidents as crimes and assessing the correct closure of such incidents within the force control room does not support accurate crime recording
 - The force was not recording crimes within the 24 hours permitted
 - The force must improve the extent to which it collects information regarding the effect of criminality on identifiable groups within communities. In particular groups with identifiable protected characteristics (eg gender, sexuality or ethnicity)
 - It was noted that the failings were a consequence of officers and staff not always understanding their responsibilities for crime recording, compounded by deficiencies in the process for crime recording within the force and inconsistent and limited supervision of crime-recording decisions.
3. Recommendations were made that involved three and six month deadlines.

Within the report were the following gradings

How effective is the force at recording reported crime?

Inadequate - Overall crime-recording rate – 83.4% of reported crimes were recorded

How efficiently do the systems and processes in the force support accurate crime recording?

Good

How well does the force demonstrate the leadership and culture necessary to meet the national standards for crime recording?

Good

Information Required

4. The PCC would like an update on the progress on the action plan and the implementation of the recommendations that were required to be completed within 3 months which were as follows
5. Within three months, the force should take steps to identify and address gaps in its systems and processes within its control room for identifying and recording all reports of crime. This work should include a review of:
 - i. the process for the supervision of the closure of incident records, ensuring that this includes a check of compliance with the crime-recording rules and that sufficient supervisory knowledge and capacity exists to do so;
 - ii. the grading process for incidents; and
 - iii. the procedure for arranging and managing appointments.
6. And details of the plans for dealing with the recommendations within six months, which were as follows: the force should design and provide training for relevant staff in regard to:
 - the importance of the **first** account of the victim when making crime-recording decisions, particularly in cases of domestic abuse;
 - offences involving malicious communications, harassment and public order;
 - recording as full an account as possible from callers within the incident record and making it clear when the incident amounts to a crime; and
 - fully communicating all available information to officers deployed to incidents.
7. Specifically with regard to the Impact on Victims, the PCC would like details on the following
 - How are you ensuring that the needs of those reporting domestic abuse are considered and offered specialist support services?
 - Can you provide assurance that incidents recorded by Cleveland Police and relating to domestic abuse take into account any repeat victimisation? (regardless of its classification as an incident or a crime)
 - Can you confirm that stalking and harassment is taken into account following recording incidences of harassment or domestic abuse and can the Force confirm the arrangements for dealing with such cases (including those that fall out of a domestic setting i.e. stranger stalking)
 - How are victims informed if their report will be classified as 'not crimed'? What support is offered to them given they fall outside of VCOP?

Actions Arising

8. That the information is noted and further updates are provided in due course.



Scrutiny, Delivery & Performance Meeting

12 September 2018

Information Management – Update

Purpose of the Report

1. The PCC called a scrutiny meeting on 23 July 2018 to seek assurance from the Force about the plans that had been put in place to manage a recent data breach. The PCC received information about the immediate actions that had taken place and the on-going and future work in this area.
2. The PCC was assured by the proactive work that was taking place but wanted to be kept abreast of the work as it developed.

Information Required

3. The PCC would like a full and detailed presentation of the following:
 - a) Progress on the work that was outlined to him at the meeting in July.
 - b) A fully costed and detailed action plan with relevant timescales, to cover all the potential areas of questioning that might may be asked as part of the ICO investigation.
 - c) Following on from details given at the last meeting - Assurance on the specific work that was taking place to secure information from people leaving the organisation and those that had already left to ensure that the information belonging to the Force was recovered and preserved.

Actions Arising

4. That further updates be provided as appropriate.



Scrutiny, Delivery & Performance Meeting

12 September 2018

Force Preparations for Brexit

Purpose of the Report

- 1. The APCC held a Policy Deep Dive on Brexit on the 17 July. There were a number of questions that were raised by NPCC and NCA that it was agreed would be prudent for PCCs to raise with their respective Forces.

Information Required

- 2. The PCC would like details on the following:
 - a) Does the Force understand the risk impact of Brexit?;
 - b) What does the Force’s local resourcing model look like regarding Brexit?;
 - c) Who, in the Force, is leading on Brexit preparations?; and
 - d) What are your Force’s plans for organisation readiness?

Actions Arising

- 3. That the information is noted.



Scrutiny, Delivery & Performance Meeting

12 September 2018

Update on the RIPA review

Purpose of the Report

1. Following the judgement of the Investigatory Powers Tribunal in December 2016 the Force and the PCC jointly commissioned Weightmans LLP to conduct an in depth and independent review of the Force's use of the Regulation of Investigatory Powers Act 2000. (RIPA).

Information Required

2. The PCC would like the Force to provide a general update on information that can be made available on the current status with the review at this time and the anticipated timescales for completion.
3. In addition to the information required above, it is noted that the revised Codes of Practice for Covert Surveillance and Property Interference and Covert Human Intelligence Sources have been published in August 2018. Could the Force provide a summary of the changes and provide assurances to the PCC of the Force's readiness to apply the new regimes.

Actions Arising

4. That the information is noted and further details be provided in due course.



Scrutiny, Delivery & Performance Meeting

12 September 2018

Appropriate Authorities Liaison Meetings – Quarterly Update

Purpose of the Report

1. To update the PCC on the Appropriate Authorities Liaison Meeting. The Chief Executive of the OPCC has general delegation of respective Appropriate Authority matters and as such regular meetings take place with the Chief Executive, the Head of the Directorate of Standards and Ethics, the Head of Legal Services and the OPCC's Standards and Scrutiny Manager in order to discharge the Terms of Reference (attached at Appendix 1). The meetings take place to discuss matters of common interest and as a forum for the Force to notify the OPCC (and vice versa) of any conduct matters arising from litigation in accordance with the Schedule 3 of the Police Reform Act 2002 and the Police (Complaints and Misconduct) Regulations 2012

For Information

2. For information purposes, it is the intention to periodically update the PCC through the Scrutiny, Delivery and Performance meetings and provide a copy of the most recent minutes. It may be necessary to withhold the minutes from the public domain due to the nature of the subject matter however for the purposes of transparency minutes will be attached where possible.

Actions Arising

3. That the information is noted.

**THE OFFICE OF THE POLICE AND CRIME COMMISSIONER FOR CLEVELAND
THE CHIEF CONSTABLE OF CLEVELAND POLICE**

TERMS OF REFERENCE FOR THE APPROPRIATE AUTHORITIES' LIAISON MEETING ("AALM")

BACKGROUND

1. The Office of the Police and Crime Commissioner for Cleveland ("the PCC") and the Directorate of Standards and Ethics ("DSE") of Cleveland Police have a mutual interest in ensuring that the provisions of (in particular, but not exclusively) Schedule 3 of the Police Reform Act 2002 ("the Act") and the Police (Complaints and Misconduct) Regulations 2012 in relation to the handling of complaints and allegations of misconduct involving Cleveland Police personnel are administered lawfully and effectively.
2. Whilst the remit and responsibilities of the Chief Constable (or his/her duly authorised delegates) as appropriate authority for those under his/ her direction and control, and that of the PCC or his/her duly authorised delegate as appropriate authority in respect of the Chief Constable are separate and distinct at law, the processes by which each exercises their respective authority and obligations have significant interdependence and overlap.
3. Furthermore, the PCC must hold the Chief Constable to account in respect of the exercise of the functions of the Chief Constable, including the exercise of the function of Appropriate Authority pursuant to the Act.
4. At the invitation of the Chief Executive of the Office of the PCC, interested parties have agreed to meet on approximately a monthly basis for the purposes set out below.
5. In these terms of reference the Chief Constable and the PCC (or their duly authorised delegates) when discharging their obligations under the Act are referred to as the appropriate authorities

ATTENDANCE

6. Those to attend AALM are;
 - Chief Executive to the Office of the PCC ("the Chief Executive")
 - Head of Cleveland Police DSE / Chief Inspector Cleveland Police DSE or suitable deputy
 - Senior Solicitor within Cleveland Police's Legal Services team
 - Standards and Scrutiny Manager OPCC
 - Such other attendees as the Chair may from time to time deem appropriate
7. Meetings will be chaired by the Chief Executive or such other attendee as the Chief Executive may nominate to the role in his absence.
8. Attendees unable to attend may by agreement with the Chair be represented by a substitute.

PURPOSES

9. The purposes of the AALM are as follows;
 - (a) To maintain a regular means of liaison between those representing the appropriate authorities in relation to matters of mutual interest and concern arising out of the responsibilities and obligations imposed by the Act upon the Chief Constable and PCC in their respective capacities as appropriate authorities and to pursue constant improvement in the discharge of those responsibilities and obligations and the policies and procedures that underpin them.

- (b) To provide an opportunity for those representing either appropriate authority to give notification to the other pursuant to paragraphs 2 (2) and (3) (complaints), or 10 (2) (conduct matters arising in civil proceedings) to Schedule 3 of the Act.
- (c) To receive details of new employment tribunal proceedings intimated or served upon either the Chief Constable or the PCC, and to be advised whether such matters might disclose conduct matters within the definition provided by section 12 of the Act, and if so whether, appropriate notification, recording and referral decisions have been made.
- (d) To receive details of new civil claims intimated or served upon either the Chief Constable or the PCC and to be advised whether such matters might disclose conduct matters within the definition provided by section 12 of the Act, and to be advised whether appropriate notification, recording and referral decisions have been made.
- (e) To receive details of any intimation or service of regulatory action or proceedings to be taken against the Chief Constable and to be advised whether such matters might disclose conduct matters within the definition provided by section 12 of the Act and if so whether appropriate notification, recording, and referral decisions have been made.
- (f) To consider and seek to resolve specific matters in which complex or novel issues have arisen.
- (g) To keep under review relevant developments in legislation, case law, statutory guidance ,or College of Policing advice, and to consider the necessity arising from such developments for changes to Cleveland Police's policies and procedures.

STATUTORY DUTIES

- 10. For the avoidance of doubt the meetings and deliberations of the AALM will be advisory only and responsibility for the determination and discharge of the obligations imposed on the respective appropriate authorities by the Act will be discharged solely and exclusively by such appropriate authorities.

COMMON INTEREST PRIVILEGE

- 11. The appropriate authorities consider that there is a clear common interest in their sharing otherwise confidential information which relates to the interdependent responsibilities which they must discharge pursuant to the Act ("confidential information"), and accordingly assert that they do so in accordance with the doctrine of common interest legal privilege.
- 12. The appropriate authorities therefore agree to waive legal privilege in respect of confidential information in favour of each other to enable the purposes of the AALM to be fulfilled but no further or wider waiver is thereby intended or granted.
- 13. The appropriate authorities and those attending the AALM on their behalf agree that confidential information provided by either of them to and for the purpose of the meeting will (subject to paragraph 14 hereof) remain and be treated as confidential, and all persons attending the AALM will sign an acknowledgement to that effect.
- 14. The appropriate authorities confirm that confidential information provided to an AALM meeting will cease to be confidential if its disclosure to either appropriate authority creates a legal requirement (either taken on its own or together with other information) for such appropriate

authority to exercise any of the obligations placed upon them by the Act in relation to which the appropriate authority considers such information relevant.



Scrutiny, Delivery & Performance Meeting

12 September 2018

Defibrillators

Purpose of the Report

1. At the Police and Crime Panel meeting in July the Chair of the Panel brought to Members' attention that there had been an issue with a defibrillator in Stockton. The PCC agreed to take up the issue and progress with the Force.
2. The current list of defibrillators is listed as follows

| Building | Number in Building |
|----------|--------------------|
|----------|--------------------|

| | |
|-------------|--------------------------------|
| M8 | 3 (2 in Custody, 1 front desk) |
| Hartlepool | 1 (in custody) |
| Urray Nook | 1 |
| Guisborough | 1 |
| CDSOU | 12 (in ARV response cars) |
| LDC | 1 |

3. The update from the Strategic Contracts Manager for the OPCC is as follows - For the future (est. by the end of August/early September) the above list will be amended, as Procurement are in the process of buying replacement Defibrillators (which will be rolled out and located at the 5 main front desks (Stockton, Hartlepool, Kirkleatham, Middlesbrough and CSH), Custody, Urray Nook, the LDC and finally the CDSOU ARV response cars. Any other de-fibs aside from these locations will be removed from use. The maintenance and monitoring of these new devices will be managed centrally by the Estates team (excluding those located in custody, which will be managed by the medical staff based within).
4. Finally it is worth remembering that all police officers and PCSO's are first aid trained, and have the ability to carry out CPR in the first instance.

Information Required

5. The PCC would therefore like details on the following:
 - i. An update on the Force's review of the locations of defibrillators and any replacement programme.
 - ii. How details could be provided on the Force and PCC websites to provide links to an update list of defibrillators in Cleveland (including those in locations held by other community safety partners).

Actions Arising

6. That the information is noted.



Scrutiny, Delivery & Performance Meeting

12 September 2018

PCC Questions

1. Proceeds of Crime Act

Could the Force provide details of how much money has been received as a result of the Proceeds of Crime Act in 2017/18 and 2018 to date and details of where that funding has been spent?

2. Areas for Improvement (AFI) arising from HMICFRS Inspections

The PCC is familiar with the work of the Audit Committee regarding the oversight of the implementation of AFIs, however the PCC would like the Force to provide an overview of the practical steps that are being taken place within the Force to ensure that progress is maintained and that AFIs are actioned in a timely manner.

3. Property Store Capacity

It has been brought to the PCC's attention that the property store has reached its capacity. There are items within the store that are associated with jobs that are closed and therefore there is no requirement to retain those items. Could the Force outline their plans to rationalise the items to release capacity?