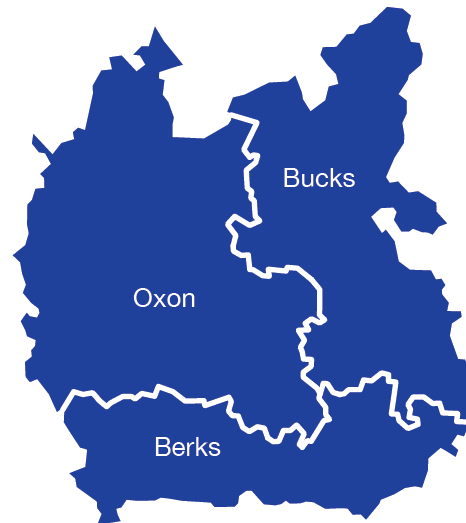


# Agenda

**Date:** Friday 17 July 2015

**Time:** 11.00 am

**Venue:** The Oculus, Aylesbury Vale District Council, The Gateway Gatehouse Road  
Aylesbury Bucks HP19 8FF



## Map and Directions

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Directions and Parking

<http://www.aylesburyvaldc.gov.uk/about/contact-us/office-addresses-openingtimes/>

Pre meeting is being held in the Olympic Room at 10am

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If you have any queries regarding this, please contact the Monitoring Officer on 01296 383650.

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|----------------|---|
| <i>11am</i>    | <b>1. Election of Chairman</b>  |
| <i>11.05am</i> | <b>2. Appointment of Vice-Chairman</b>  |
| <i>11.10am</i> | <b>3. Apologies for Absence</b>   |
|                | <b>4. Declarations of Interest</b><br>To disclose any Personal or Disclosable Pecuniary Interests |

- |                |   |                |
|----------------|---|----------------|
| <i>11.15am</i> | <b>5. Minutes</b><br>To agree the minutes of the meetings held on 27 March 2015.  | <b>5 - 16</b>  |
| <i>11.20am</i> | <b>6. Public Question Time</b><br>Anyone who works or lives in the Thames Valley can ask a question at meetings of the Police and Crime Panel, at which a 20 minute session will be designated for hearing from the public.<br><br>If you'd like to participate, please read the Buckinghamshire Public Question Time Scheme and submit your question by email to <a href="mailto:contact@thamesvalleypcp.org.uk">contact@thamesvalleypcp.org.uk</a> at least three working days in advance of the meeting. |                |
| <i>11.25am</i> | <b>7. Police and Crime Panel Annual Report</b><br>To adopt and publish the Police and Crime Panel Annual Report   | <b>17 - 28</b> |
| <i>11.45am</i> | <b>8. Terms of Reference for the Child Sexual Exploitation Sub-Committee</b><br>To agree the draft Terms of Reference and Membership for the Sub-Committee.   | <b>29 - 32</b> |
| <i>12 noon</i> | <b>9. Annual Review of Police and Crime Panel Rules of Procedure and Police and Crime Panel Budget</b><br>To review the Rules of Procedure and the Panel budget. The Panel Arrangements are attached for information.   | <b>33 - 58</b> |
| <i>12.15pm</i> | <b>10. Complaints Handling Sub-Committee Report</b><br>Members are asked to note the report and to put forward their name if they are interested in joining the Sub – Committee.  | <b>59 - 62</b> |
|                | <b>11. Membership of the Budget Task and Finish Group</b><br>To agree Membership of the Budget Task and Finish Group  | <b>63 - 64</b> |
| <i>12.30pm</i> | <b>12. General Issues</b><br>For each Member to provide an update on activities their Council have undertaken in relation to Female Genital Mutilation and to consider the general issues raised in the report.   | <b>65 - 68</b> |
| <i>12.45pm</i> | <b>13. Work Programme</b><br>To agree the Work Programme  | <b>69 - 70</b> |
|                | <b>14. Date and Time of Next Meeting</b><br>25 September 2015 – 11am<br><br>To agree dates for the following year   |                |

## **Committee Members**

Councillor Julia Adey (Wycombe District Council), Councillor Patricia Birchley (Buckinghamshire County Council), Councillor Margaret Burke (Milton Keynes Council), Councillor Robert Courts (West Oxfordshire District Council), Councillor Emily Culverhouse (Chiltern District Council), Councillor Trevor Egleton (South Bucks District Council), Ms Julia Girling (Co-opted Member), Councillor Jesse Grey (Royal Borough of Windsor and Maidenhead), Councillor Angela Macpherson, Councillor Kieron Mallon (Oxfordshire County Council), Mr Curtis-James Marshall (Co-opted Member), Councillor Chris McCarthy (Vale of White Horse District Council), Councillor Iain McCracken (Bracknell Forest Council), Councillor Sohail Munawar (Slough Borough Council), Councillor Tony Page (Reading Borough Council), Councillor Bob Pitts (Wokingham Borough Council), Councillor George Reynolds (Cherwell District Council), Councillor Dee Sinclair (Oxford City Council), Councillor Quentin Webb (West Berkshire Council) and Councillor Ian White (South Oxfordshire District Council)



# Minutes

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**Minutes of the Thames Valley Police and Crime Panel held on Friday 27 March 2015, in Council Chamber, Wokingham Borough Council, Shute End Wokingham Berkshire RG40 1BN, commencing at 11.00 am and concluding at 1.05 pm.**

## **Members Present**

Bill Bendyshe-Brown (Wycombe District Council), Noel Brown (Chiltern District Council), Trevor Egleton (Buckinghamshire County Council), Councillor Kieron Mallon (Oxfordshire County Council), Councillor Iain McCracken (Bracknell Forest Council), Councillor Tony Page (Reading Borough Council), Councillor Barrie Patman (Wokingham Borough Council), Pam Pearce (Aylesbury Vale District Council), Councillor George Reynolds (Cherwell District Council), Councillor Dee Sinclair (Oxford City Council) and Councillor Quentin Webb (West Berkshire Council)

## **Officers Present**

Reece Bowman and Clare Gray

## **Others Present**

John Campbell (Thames Valley Police Force), David Carroll (Deputy Police and Crime Commissioner), Francis Habgood (Thames Valley Police), Paul Hammond (Chief Executive Officer of the Police and Crime Commissioner), Michelle Kukielka (R-U-Safe Barnardo's Project), Councillor Judith Nimmo-Smith (South Oxfordshire District Council) and Anthony Stansfeld (Thames Valley Police and Crime Commissioner)

## **Apologies**

Councillor Mark Booty (West Oxfordshire District Council), Councillor Margaret Burke (Milton Keynes Council), Councillor Anita Cranmer (South Buckinghamshire District Council), Councillor Jesse Grey (Royal Borough of Windsor and Maidenhead) and Councillor Mohammed Sharif (Slough Borough Council)

### **1. Declarations of Interest**

There were no declarations of interest.

### **2. Minutes**

The Minutes of the Meeting held on 30 January 2015 were agreed as a correct record.

### **3. Public Question Time**

There were no public questions. In relation to the question asked at the last meeting a written response had been sent concerning the redevelopment of the Woodstock Police Station and associated consultation.

#### 4. Themed item - Child Sexual Exploitation

Ms Kulielka advised that she is the Assistant Director for Children's Services for Barnardos, South East and Anglia Region, which covers Buckinghamshire. She said that she strategically manages the Barnardos services in Buckinghamshire of which there were 19 overall. Ms Kulielka advised that she set up the RU Safe project in 2007. She said that Thames Valley Police (TVP) identified a number of young people who had suffered or were at risk of CSE. She highlighted that it is not just girls at risk of CSE but boys also.

The government definition for CSE is "Sexual exploitation of children and young people under 18 involves exploitative situations, context and relationships where young people or a third person or persons receives something (such as food, accommodation, drugs, alcohol, cigarettes, affection, gifts, or money) as a result of performing, and/or others performing on them, sexual activities. In all cases, those exploiting the child or young person have power over them by virtue of their age, gender, intellect, physical strength and/or economic or other resources. Violence, coercion, intimidation are common. Involvement in exploitative relationships being characterised in the main by the child or young persons limited availability of choice resulting from their social, economic or emotional vulnerability".

Children who have been exploited are scared, sometimes do not know that they are being abused, feel worthless, have no self-confidence, can be suicidal, have a sexually transmitted disease or become pregnant. This will also have an impact on their family and cause psychological distress. CSE takes place everywhere not just in towns and there can be often networks of abuse through organised criminal gangs. One to one support is provided and there are also targeted interviews for those children who are 'under the radar'.

CSE has recently received a lot of political and public attention which has contributed to people's understanding. Information is now being shared with key partners. There have been a number of successful police operations which includes co-operation with the Criminal Justice System as the court process was extremely traumatic for young people.

R-U-Safe? work closely with Thames Valley Police to provide a service to young people, between the ages of 11-18, who have returned home after being reported missing. Young people who have missing episodes are vulnerable to Sexual Exploitation.

Additional to the targeted interventions, R-U-Safe? provide emotional support through their counselling service to help young people process trauma, difficult experiences, concerns and issues in a safe and supportive environment. This promotes confidence and resilience and increases their ability to identify positive ways to move forward. This service is only available to those open to R-U-Safe? according to need.

They were now working on targeting children in Year 6 in primary schools.

During discussion the following points were noted:-

- Quentin Webb asked about children who were exploited who were part of a family. Young people who had families were supported and families were involved at the request of the child as some work with young people could be jeopardised by family involvement depending on the nature of their relationship. There was a separate service for families.
- The play '**Chelsea's Choice**' had been rolled out in Buckinghamshire to raise awareness around CSE and young people could ask questions following the play and raise any concerns with staff. A large number of young people had come forward after watching the play. Barnardos was also working with Oxfordshire, and the Kingfisher Unit had recruited two staff workers from Barnardos.
- **Barnardos** had not made any input into the Serious Case Review in Oxfordshire. They had a strong relationship with Buckinghamshire and they also work with neighbouring authorities within one hour from Bucks. They managed Children's homes in Oxfordshire.
- In terms of voluntary organisations involved in CSE Barnardos managed a number of them and provided input to those who were not managed by them. They had excellent working relationships.

- Noel Brown commented that he had attended a **training session** which had been set up for parents and commented that they had watched a video which showed how easy it was for young people to become involved. The training session also gave a male case example. He also emphasised the importance of full training for PCSO's as their influence in the community was key. The Assistant Chief Constable reported that all police officers were trained in spotting CSE particularly when they were out on patrol they checked various locations such as parks and the late night economy. This helps feed into the overall police intelligence with the major crime teams etc. The Member commented that it would be helpful to have one phone number for people to call with any concerns about CSE. The ACC commented that CSE was 10% of total child abuse and that different services dealt with the number of aspects of child abuse, which also included the offender being known to the victim. **The video would be sent to Members for information.**

**Action: Michelle Kukielka**

- Reference was made to raising awareness in primary schools and whether children would be frightened. **Information was being sent to Primary School Headteachers on the Programme which could also be sent to Members.** The material was geared towards primary school children and was aimed to make them aware of how to be safe in more generic terms.

**Action: Michelle Kukielka**

Michelle Kukielka was thanked for her presentation.

The PCC presented his report and made the following points:-

- The problems in Oxfordshire became apparent in 2011 and in 2013, 7 men were convicted of 59 offences and these prosecutions remain ongoing.
- Previously there had been little information about CSE. Girls who were a victim of CSE were attending Accident and Emergency but this had not been reported by the Health Service because of confidentiality. There had been failures in all key agencies and this was being addressed through the setting up of Multi Agency Safeguarding Hubs.
- The PCC expressed concern that there were still few cases brought to Court in other areas of the Country, particularly London as CSE was reportedly happening everywhere. The experience in Rotherham was devastating. Representatives from Rotherham had visited Oxfordshire to look at the Kingfisher Unit which they had found extremely helpful.
- The PCC was confident that the Police Force had undertaken all the required actions with the setting up of the Kingfisher Unit and the Multi-Agency Safeguarding Hubs across the Thames Valley.

During questions the following points were made:-

- Iain McCracken expressed concern about the **lack of communication and data sharing** between agencies that still existed. The PCC gave an example of the MASH which was an open plan room full of staff from the Council, police force, the health service and also there were representatives from voluntary organisations and also schools who could all share information in a secure environment. The Climbie Case had highlighted the risks of agencies failing to share information properly as a result of inappropriately 'hiding behind' the normal requirements for patient confidentiality. The Hubs had been set up to ensure a multi-agency approach to safeguarding and were making good progress. They had already been set up in Oxfordshire, Buckinghamshire and Milton Keynes. Work was underway to set up hubs in Slough and Reading and it was important to complete this work as soon as possible. The Assistant Chief Constable emphasised the importance of each Hub to look beyond their boundary and to work with neighbouring Hubs. The Chairman reported that he would find it useful to visit the Oxfordshire MASH.

- An area that needed to be addressed was to increase involvement in the hubs from the **Health Service**. The PCC commented that he had written to GPs, Clinical Commissioning Groups, Health and Wellbeing Boards and Trusts about this issue and Female Genital Mutilation.

**Action: Policy Officer** to raise at Sub-Committee

- Bill Bendyshe Brown made reference to the involvement of **schools**. The PCC reported that the play 'Chelsea's Choice' had raised the issue in schools and had been funded through him. Michelle Kukielka reported that from her experience in Buckinghamshire the awareness in schools was good.
- Bill Bendyshe Brown asked whether equal weight was given to **young men**. Whilst they were treated equally in terms of support, CSE was in the majority a female issue which needed to be concentrated on.
- Dee Sinclair asked how the **Chief Constable** had been held to account for their role in CSE. The ACC reported that the Serious Case Review was only one aspect of CSE. The Chief Constable had been held to account and had reported to the PCC. They had to wait for the Oxfordshire SCR report. The ACC referred to the culture of the police force in previous years which was a big organisation with Basic Command Units. It had taken a while to change the culture of reporting in the police force so there was communication across the whole Force. Thames Valley Police Force had been held to account and was one of the few Forces that were taking action against CSE, although action should have been taken sooner. There were a number of areas nationally where CSE had been identified and were going through the process of investigation.
- Previously there have been problems with taking action on CSE because of concerns about girls who had appeared to consent to sexual activity because of being manipulated by their abusers and also because they had been given gifts, alcohol or drugs. It has also been difficult to bring cases to court because of the evidence required by the CPS.
- Dee Sinclair asked if **CSE was a priority at all levels** in the Police Force? The ACC reported that CSE had received a lot of publicity in the local press and was being looked at by Senior Management down through to Neighbourhood Action Groups. CSE involved failures from a number of organisations including the Health Service, Councils, Schools and the Crime Prosecution Service and the Court System. The Chairman reported that the SCR report referred to all related organisations having 'tunnel vision'.
- In some areas of CSE there was a key involvement of **the use of taxi's and private hire** and Tony Page asked about any action being taken by Councils on licensing. He commented that standards across the Thames Valley vary enormously. The ACC reported that some groups of men who worked for taxi firms had been investigated. There needed to be training for taxi firms to spot signs of CSE and to report any concerns to the Police Force. When people apply for a licence they needed to have CRB checks. Leaflets to raise awareness had been sent to taxi firms and also hotels and guest houses. The Member commented that the licensing powers needed to be strengthened in relation to preventing CSE with a standardised approach across the Thames Valley. Bill Bendyshe Brown commented that he would raise this with the Local Government Association. Members noted that the report had referred to some good practice by taxi drivers who had taken young girls to Accident and Emergency with concerns about them being injured and also intoxicated.

**Action: Policy Officer** to raise at Sub-Committee

- Kieron Mallon asked about **disruption activity**. Disruption activity is linked to the prevention strand of CSE. Disruption usually involves agencies working in partnership to target a location at which it is suspected that Child Sexual Exploitation is taking place, with the common objective of gathering information and intelligence about that location and taking steps to reduce the likelihood of a child or young person becoming a victim there. Often the location in question is a premise or group of premises frequented by both young people and adults.
- CSE was not a race issue but in the past there had been fears of escalating some cases because it may be seen as a race issue, particularly from more junior officers. In relation to the Oxfordshire CSR which had involved some Pakistani men there had been discussions with the



local mosques. Kieron Mallon emphasised the importance of talking to younger men not the elders in the mosque. The Assistant Chief Constable reported that there were a number of key relationships across the board where it was important to get full engagement on CSE.

- Noel Brown asked how the **reporting mechanism** works for CSE? The ACC reported that it would be difficult to have one reporting line as so many different organisations were involved in the first instance. Also reporting may come from organisations where awareness training was held in the first place eg schools. There were also a number of media campaigns. Michelle Kukielka reported that some young people preferred to go through voluntary organisations in the first instance as they were less formal organisations.
- Bill Bendyshe Brown asked about abuse within the family or via people known to the victim. The ACC reported that this was linked to child abuse generally rather than CSE. CSE related more to the grooming process. However, it did become difficult when the 'boyfriend' was the abuser.

Members agreed that a **Sub-Committee** should be set up to monitor how CSE was being dealt with across the Thames Valley. This would commence after the elections once the new Membership of the Panel had been finalised. The Sub-Committee would meet four times a year. The Vice-Chairman, Kieron Mallon suggested that the Sub-Committee could also look at other areas such as FGM and the PREVENT agenda. The terms of reference would be submitted to the next meeting in July.

**Action: Policy Officer**

## **5. Rapporteur Report on Domestic Violence**

Iain McCracken presented a report on Domestic Abuse. This was a joint report between the Institute of Criminology, Cambridge University and Bracknell Forest Council(BFC). The report shows encouraging results of a programme designed to prevent harm to repeat victims of domestic abuse known to the police. The Programme was delivered by a multi-agency partnership, addressing both offenders and victims.

He went on to inform the panel that BFC had commenced the project by appointing a Domestic Abuse Co-ordinator in April 2011 and had, via their Community Safety Partnership, funded £100,000 pa to support both the post and project.

Members welcomed the report. Bill Bendyshe Brown commented that there were other areas of good practice in the Thames Valley, he particularly referred to the Chesham Project where a number of organisations had been brought together in one place such as health services and the Council. Domestic Violence was unseen and unheard and often started once the female got pregnant.

Bracknell Forest would be repeating this exercise in May 2015 with a new cohort. Iain McCracken referred the report to the Panel as a good practice example and suggested that this may be worth rolling out across the whole Thames Valley, after another year's exercise has been completed and there was an established base of evidence.

## **6. Police and Crime Plan Review and Refresh Process**

The Chief Executive of the OPCC presented a report on the review and refresh process of the Police and Crime Plan. In accordance with the Police Reform and Social Responsibility Act 2011, the PCC may vary his Plan but he must consult with the Chief Constable and must send the draft Plan to the Police and Crime Panel. The PCC must have regard to any report or recommendations made by the Panel in relation to the draft Plan.

The Chief Executive reported that the new process would vary according to whether any emerging issues were significant. If the emerging issues were material enough to warrant a refresh of the Plan the issues and variations would be submitted to the Panel meeting at the end of January. If they were not material the PCC would not update the Police and Crime Plan but instead would circulate a summary of the emerging issues to the Police Force, the Community Safety Partnerships and amend the Internal OPCC Management Plan. The Panel welcomed the report.

## **RESOLVED**

**That the Police and Crime Panel endorse the process and timeline by which the Office of the Police and Crime Commissioner will review each year and, as necessary, vary the PCC's Police and Crime Plan over the five-year period of the Plan.**

### **7. Report of the Complaints Sub-Committee**

The Vice Chairman of the Panel presented his report as Chairman of the Complaints Sub-Committee. A Member referred to the Appendix of the Report and suggested that it would be helpful to separate each complaint to provide further clarity.

## **RESOLVED**

**That the Panel note the report of the Complaints Sub-Committee.**

### **8. Report of the Partnership Task and Finish Group**

The Chairman of the Partnership Task and Finish Group, Iain McCracken presented his report on the review of the effectiveness of working between the PCC and key partnerships, of which there are many within Thames Valley. The Task and Finish Group held an initial meeting with the PCC to discuss the review, before compiling a questionnaire which was sent to Community Safety Partnerships, Health and Wellbeing Boards and Safeguarding Boards. The key findings are presented within the report.

The Chairman reported that there had been a good response to the questionnaire and that there was good partnership working with the PCC. Members were then asked whether they would like to conclude the review and repeat in one year's time or to ask Members to provide a clear list of representatives on each partnership body and their role. There was one slight concern about interaction with Health and Wellbeing Boards but as these Boards had been recently set up partnership working should improve and this should be monitored.

A Member of the Task and Finish Group congratulated the Chairman and the Policy Officer on their work. The Deputy PCC reported that this had been a positive area of work and thanked all the organisations who had responded to the questionnaire and the Members of the Task and Finish Group.

#### **Action – Policy Officer**

Members agreed that the review should be concluded and should be repeated in a year's time with a questionnaire.

#### **Action - Members**

Members agreed that within their own organisations they should continue to liaise with Member and officer representatives on organisations that work in partnership with the PCC and to use this information to feed into the work of the Panel, where relevant.

### **9. To ratify the proposed Independent Co-opted Members**

The Chairman reported that an Interview Panel had taken place to recruit to the two vacancies for Independent Panel Members. The Vice-Chairman had chaired the Panel and was pleased to report that two people had been appointed:-

Julie Girling – who had experience working with Victim Support  
Curtis James Marshall – who had experience in legal and policy issues.

## **RESOLVED**

**That the two appointees listed above be endorsed as Independent Panel Members of the Police and Crime Panel.**

## **10. Work Programme**

The Work Programme was noted including the proposal to set up a Sub-Committee on Child Sexual Exploitation which had been discussed during an earlier item on the agenda.

Members agreed that an Induction Event should be held as there would be a number of new Members joining the Panel after the elections in May. The PCC reported that at his recent Policy, Planning and Performance meeting they had been discussing the budget for the following year where there would be some significant financial cuts and that it would be useful to update the Panel and new Members on this issue.

The Chairman thanked those Members of the Panel who would not be standing for election for their contribution and also to the Policy Officer Reece Bowman who would not be servicing this meeting in the future.

## **11. Date and Time of Next Meeting**

17 July 2015 – 11am at Aylesbury Vale District Council

**CHAIRMAN**



# Minutes

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**Minutes of the Thames Valley Police and Crime Panel held on Friday 27 March 2015, in Council Chamber Wokingham Borough Council Shute End Wokingham Berkshire RG40 1BN, commencing at 1.30 pm and concluding at 2.20 pm.**

## Members Present

Bill Bendyshe-Brown (Wycombe District Council), Noel Brown (Chiltern District Council), Trevor Egleton (Buckinghamshire County Council), Councillor Kieron Mallon (Oxfordshire County Council), Councillor Iain McCracken (Bracknell Forest Council), Councillor Tony Page (Reading Borough Council), Councillor Barrie Patman (Wokingham Borough Council), Councillor Dee Sinclair (Oxford City Council) and Councillor Quentin Webb (West Berkshire Council)

## Officers Present

Reece Bowman and Clare Gray

## Others Present

David Carroll (Deputy Police and Crime Commissioner), Francis Habgood (Thames Valley Police), Paul Hammond (Chief Executive Officer of the Police and Crime Commissioner), Councillor Judith Nimmo-Smith (South Oxfordshire District Council) and Anthony Stansfeld (Thames Valley Police and Crime Commissioner)

## Apologies

Councillor Mark Booty (West Oxfordshire District Council), Councillor Margaret Burke (Milton Keynes Council), Councillor Anita Cranmer (South Buckinghamshire District Council), Councillor Jesse Grey (Royal Borough of Windsor and Maidenhead), Councillor Bill Jones (Vale of White Horse District Council), Pam Pearce (Aylesbury Vale District Council), Councillor George Reynolds (Cherwell District Council) and Councillor Mohammed Sharif (Slough Borough Council)

### 1. Declarations of Interest

There were no declarations of interest.

### 2. Confirmation Hearing for the Chief Constable

The Police and Crime Commissioner presented his report on the Chief Constable Recruitment Process. This report provides formal notification under the Police Reform and Social Responsibility Act 2011 from the Police and Crime Commissioner to the Police and Crime Panel that the Chief Constable recruitment and selection process has now been completed and the PCC's preferred candidate is Mr Francis Habgood, who was currently the Deputy Chief Constable of Thames Valley Police.

The Police and Crime Panel is required to consider the proposed appointment to scrutinise the appointment

process and has a power of veto. The PCC must not make an appointment unless the candidate fulfils all of the eligibility criteria.

One application for the vacancy of Chief Constable was received. Information on the advertising and communication strategy, the selection and short listing Panel are within the agenda, including the Independent Member's report. The candidate was asked at the Selection Panel to give a ten minute presentation following a 40 minute preparation period which was then followed by the formal interview where the Panel were able to explore the candidate's abilities against the seven policing professional framework competencies. The PCC proposed his preferred candidate, Mr Francis Habgood, to the Police and Crime Panel for review and a recommendation as to whether or not he should be appointed.

The following points arose from questions to the preferred candidate:-

- In answer to a question from Quentin Webb on media experience Mr Habgood had attended a variety of different courses on this area, including working with an Independent Consultant. He had presented the Asset Management Programme to a wide variety of stakeholders and through his work presented a professional image of the Police Force. He felt that he passed on messages in a clear and confident manner and had worked closely with the Chief Constable on the Bullfinch Inquiry. He had learnt from the approach used by the previous Chief Constable and if an apology was required he would give an apology whilst also providing confidence to the public that action would be taken to address any outstanding issues.
- In terms of working with the rest of the Force across the different levels of the organisation he had always been impressed about the level of confidence throughout the Force. In terms of working with the media he emphasised the importance of the right message coming from the right officers again at all levels from Senior Officers to Neighbourhood Teams, where appropriate.
- Bill Bendyshe Brown asked about the preferred candidate's top priorities over the coming months which were to look at the financial position of the Force and priority based budgeting. The other area was technology to deliver the right products and applications and changing the way officers work, which would mean a cultural change and also a possible reduction in staff to meet the budget cuts required.
- Dee Sinclair asked with the departure of the previous Chief Constable would the new Senior Management Team be male dominated? A representative Force was important. The preferred candidate agreed with this statement and reported that there was still a good gender balance in the Senior Management Team. Because of financial cuts the Force was still recruiting but the majority of the Force remained the same so therefore it was difficult to make a further impact. However, there was now a Foundation Degree on Policing at Bucks New University and 20% of applications were from BME backgrounds and they would continue to do work to develop this area.
- Iain McCracken asked the preferred candidate about joint working. Francis Habgood commented that he had previously worked closely with Hampshire Constabulary to develop the Thames Valley/Hampshire bi-lateral collaboration partnership and therefore had a good network having worked closely with the Chief Constable. There were opportunities to deliver savings through joint work looking more at back office functions, buildings, transport and the regional organised crime unit by bolstering specialist crime areas.
- A question was asked about the Berkshire Fire Authority and the contract now coming to an end. The preferred candidate reported that with the replacement contract there would be no impact on coverage and it would need to be affordable. He was currently working with the Fire Service on this as part of a national Project. If the timeline was not met there was an alternative plan.
- Noel Brown asked the preferred candidate's view on the community safety fund? Francis Habgood reported that this was a decision for the PCC. The Force was looking at priority based budgets and that all investment needed to have good outcomes. Community safety funding

usually added value through small amounts of funding. A review of Neighbourhood Policing was being undertaken and should be available by the end of April 2015. PCSO's provided a vital part of neighbourhood policing but there was a core element to this and also part funded posts, which were no longer being funded by some partners.

The preferred candidate gave a history of his previous employment

- He has been Deputy Chief Constable of Thames Valley Police (TVP) since 2008 and joined TVP 11 years ago from West Yorkshire Police.
- He was Assistant Chief Constable at Thames Valley Police from 2004 where he had responsibility for specialist operations, firearms, roads and terrorism.
- He had spent three months lecturing at the College of Policing.
- As Deputy Chief Constable he had responsibility for performance, strategic development, productivity, financial savings, professional standards and legal services. He also had responsibility for the Asset Management Plan.
- He has also undertaken national work and is currently working with HMI on pay and conditions. Whilst he would like to carry on this work with current priorities this may be passed to the Deputy Chief Constable.

## **RESOLVED**

**That following the review of the proposed appointment, the Panel make a report to the PCC recommending that the preferred candidate Francis Habgood should be appointed to the post of Chief Constable.**

### **3. Date and Time of Next Meeting**

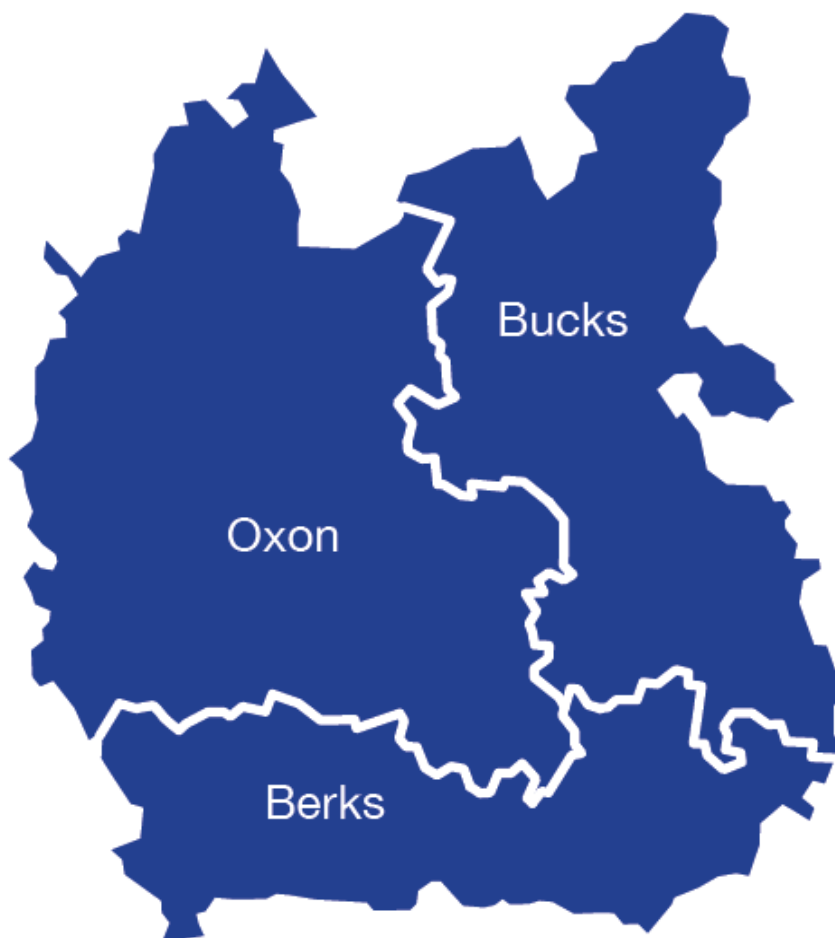
17 July 2015 at 11am at Aylesbury Vale District Council

**CHAIRMAN**





# Thames Valley Police & Crime Panel



## Annual Report 2014/15

The Thames Valley Police & Crime Panel is currently hosted by Buckinghamshire County Council on behalf of all 18 local authorities in Thames Valley.

It is a joint committee of all 18 local authorities, consisting of a representative from each and two independent co-opted members.

It can be contacted via the below:

**Police & Crime Panel Secretariat**

Policy, Performance and Communications  
Buckinghamshire County Council  
G29, New County Offices  
Walton Street  
Aylesbury  
HP20 1UA

Telephone: (01296) 383610

Email: [contact@thamesvalleypcp.org.uk](mailto:contact@thamesvalleypcp.org.uk)

Website: [www.thamesvalleypcp.org.uk](http://www.thamesvalleypcp.org.uk)

Twitter: [@ThamesValleyPCP](https://twitter.com/ThamesValleyPCP)

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The Police & Crime Commissioner for Thames Valley is Anthony Stansfeld.

He can be contacted via his office:

**Office of the Police and Crime Commissioner**

The Farmhouse  
Thames Valley Police Headquarters  
Oxford Road  
Kidlington  
Oxon  
OX5 2NX

Telephone: (01865) 846780

Email: [pcc@thamesvalley.pnn.police.uk](mailto:pcc@thamesvalley.pnn.police.uk)

Website: [www.thamesvalley-pcc.gov.uk](http://www.thamesvalley-pcc.gov.uk)



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## Chairman's Introduction

I am proud to introduce the third annual report of the Thames Valley Police and Crime Panel. Since the Panel's inception in November 2012 I feel that we have made substantial progress in the way that the Panel works to both challenge and support the Police and Crime Commissioner for the Thames Valley. This is largely due to the hard work and dedication of my fellow Panel Members.



The third year of the Panel's operation could now concentrate on looking at different themes following two years of establishing good working relationships amongst Panel Members, with the Chief Constable and the Police and Crime Commissioner and with robust procedures in place. Themes such as Female Genital Mutilation, Rural Crime and Child Sexual Exploitation have been explored with the Police and Crime Commissioner and also with external partners.

I feel that we have achieved a lot in this past year. I would like to highlight the scrutiny of the Police and Crime Commissioner's proposed budget and Council Tax precept as an area of particular success. The Panel utilised their scrutiny skills to ensure that the Commissioner's proposed council tax precept increase of 1.99% was required to deliver a balanced budget and maintain frontline services. Task and Finish Groups have been set up to look in detail at the budget and partnership working to make recommendations to the Panel.

A successful conference was held in July 2014 looking at the Opportunities and Challenges for Panels in 2015 and beyond with presentations from Panel Chairmen from other areas. As with any body of this nature we are not without our challenges and there is always room for improvement. There are still challenges for the Panel in relation to its limited powers and resources, particularly in dealing with increasingly difficult issues such as cyber crime, child sexual exploitation and radicalisation. In terms of engaging with residents and key stakeholders, I am pleased to report that a public question time was introduced in September. The Panel also held a Confirmation Hearing for the Chief Constable post in March and look forward to working closely with Francis Habgood who I am sure will continue the excellent work carried out by the previous Chief Constable, Sara Thornton.

This third annual report highlights the work and achievements of the past year and draws out some of the key areas of work that the Panel will be examining over the forthcoming year.

**Cllr. Trevor Egleton**

A handwritten signature in black ink, appearing to read 'T. Egleton'.

Chairman, Thames Valley Police & Crime Panel

## The Police & Crime Commissioner

The Police and Crime Commissioner for the Thames Valley, Anthony Stansfeld, has formally been in post since 22 November 2012.

## The Police & Crime Plan

The Police & Crime Commissioner sets out in a Police & Crime Plan his objectives for his four year term of office. This document is of great importance to the Police & Crime Panel as a point of reference in fulfilling its duty to scrutinise and review the actions and decisions of the Police & Crime Commissioner.

## The Thames Valley Police Delivery Plan

The Delivery Plan is Thames Valley Police's operational plan. It describes how the Force will address its objectives. It is of interest to the Panel because it is a reflection of the Police & Crime Commissioner's Police & Crime Plan. The Delivery Plan should be clearly aligned with the objectives of the Police & Crime Plan.

## The PCC's strategic objectives

The Police and Crime Commissioner Strategic Objectives are set out below with examples of work being undertaken:-

- Cut crimes that are of most concern to the public and reduce reoffending
- Protecting vulnerable people. In the refresh plan reference is made to the police response to Female Genital Mutilation and it is important to work with other agencies to stop this practice. Extra resources have been put into Child Protection, including countering Child Sexual Exploitation.
- Work with partner agencies to put victims and witnesses at the heart of the criminal justice system. The PCC has taken responsibility for commissioning Victims' and Restorative Justice Services.
- Ensure Police and Partners are visible, act with integrity and foster the trust and confidence of communities. The PCC has set up a Complaints, Integrity and Ethics Panel.
- Communicate with the public to learn of their concerns, help to prevent crime and reduce the fear of crime.
- Protect the public from serious organised crime, terrorism and internet based crime. Work is being carried out with regional and national agencies to develop and improve the Force's response to cyber crime.



**Anthony Stansfeld**, Police and Crime Commissioner for the Thames Valley

Bucks

Berks



### The Role of the Police & Crime Panel

The Thames Valley Police and Crime Panel examines and reviews how the Police and Crime Commissioner for the Thames Valley carries out his responsibilities to ensure that Thames Valley Police runs efficiently and effectively. In addition to this the Panel has a role to play in supporting the Commissioner in his work.

This year the Panel has:-

- Conducted confirmation hearings for the Chief Financial Officer and the Chief Constable and held a hearing to review the extension of the Deputy PCC contract.
- Handled non-criminal complaints against the Police and Crime Commissioner through regular meetings of its Complaints Handling Sub-Committee and receives updates from the Complaints, Integrity and Ethics Panel.
- Reviewed the Police and Crime Commissioner's proposed Council Tax precept for the financial year and the refresh of the Police and Crime Plan .
- Held themed meetings and looked in detail at the Property Asset Management Plan which reduced the number of police stations in the Thames Valley and discussed Frontline Policing and the Integrity of Crime data.



- Received updates on major CSE investigations and progress on the setting up of the Multi Agency Safeguarding Hubs across the Thames Valley.

### Members of the Thames Valley Police & Crime Panel

In the Thames Valley, there is one councillor from each of the councils in the area, meaning that there are eighteen on the Panel. They are joined by two independent co-opted members, recruited through a competitive process.

The independent co-opted members have the same status and rights as the other Panel members.

Each of the 18 councils below has its own process for appointing its representative on the Police & Crime Panel and the representatives for 2014/15 were:-

- Aylesbury Vale District Council— Pam Pearce
- Bracknell Forest Council— Iain McCracken
- Buckinghamshire County Council— Trevor Egleton
- Cherwell District Council— George Reynolds
- Chiltern District Council— Noel Brown
- Milton Keynes Council— Margaret Burke
- Oxford City Council— Dee Sinclair
- Oxfordshire County Council— Kieron Mallon
- Reading Borough Council— Tony Page
- Royal Borough of Windsor & Maidenhead Council - Jesse Grey
- Slough Borough Council— Mohammed Sharif
- South Bucks District Council— Anita Cranmer
- South Oxfordshire District Council— Mike Welply
- Vale of White Horse District Council— Bill Jones
- West Berkshire Council— Quentin Webb
- West Oxfordshire District Council— Mark Booty
- Wokingham Borough Council— Barrie Patman
- Wycombe District Council— Bill Bendyshe-Brown

The two independent co-opted members were:

- Terry Burke
- Rajinder Sohpal

## Reflections of our Panel Members

Each Panel member was asked about what they felt the biggest successes and challenges were over the course of the past year for the Police and Crime Panel. Their reflections on the year can be viewed over the coming pages:



### **Councillor Bill Bendyshe-Brown**

**Successes**– The Panel is an excellent forum for all members to represent their constituents views to the Commissioner as well as being able to learn about policing issues across the Thames Valley.

**Challenges**– I think challenges are what the Police and Crime Panel is about.



### **Councillor Mark Booty**

**Successes**– A notable success has been getting the Police and Crime Plan and the local safety community partnership priorities aligned. This has demonstrated that the Panel & the Police and Crime Commissioner work well together.

**Challenges**– To get ever decreasing budgets to maintain an acceptable service level to the community, and 2014/2015 was no different in that regard.



### **Councillor Noel Brown**

**Successes**– Making Child Sexual Exploitation a high priority on the agenda and also receiving regular updates on the setting up of Multi- Agency Safeguarding Hubs throughout the Thames Valley

**Challenges**– Whilst the PCC has kept the Panel informed of possible cuts to Frontline Policing there are concerns about funding for future years.



### **Councillor Anita Cranmer**

**Successes**– Members are more aware of emerging national issues which are likely to impact on their own Councils particularly FGM, human slavery and CSE and are better prepared to deal with them.

**Challenges**– The next few years will be challenging with the reduction in funding and resources against the increased demand in the emerging issues.



### **Councillor Jesse Grey**

**Successes**– Maintaining the support for the Community Safety Partnership.

**Challenges**– That the level of support for Community Safety Partnerships and community policing may be challenged in difficult financial times.



### **Councillor Bill Jones**

**Successes**– There was a smooth transition from the Police Authority to the Panel which I believe is a quality product and has a excellent working relationship with the PCC

**Challenges**– There is room for further challenge to the PCC particularly obtaining information from external witnesses and Local Area Commanders.

## Reflections of our Panel Members



### Councillor Dee Sinclair

**Successes**– The themed meetings have added value to the work of the Panel.

**Challenges**– There has been limited public interest in the Panel and it would be helpful to have more timely responses on requests for data.



### Councillor Kieron Mallon

**Successes**– Stronger relationships between Community Safety Partnerships and Children’s Safe-guarding in response to Child Sexual Exploitation and the social enterprise approach to provid-ing support and training for domestic abuse champions

**Challenges**– responding to the new Prevent (Counter Terrorism) duties and individuals subject to radicalisation.



### Councillor Iain McCracken

**Successes**– Leading on the Domestic Abuse Service Co-ordination Project has led to a reduction in repeat harm and will be continued for a year which will be reported to the Panel. I have chaired the Budget Task and Finish Group which has undertaken detailed work to recommend the budget and precept for approval to the Panel. I have also chaired the Partnership Task and Finish Group which shows that there is a healthy ethos of co-operation and networking between the partner groups which will grow over time. As a Member of the Complaints Sub- Committee I am pleased with the way that complaints have been considered and handled.



### Councillor Tony Page

#### **Successes and Challenges**

At a time of increasing cuts to police and local government budgets the Panel will have an im-portant role in holding the PCC to account in protecting front-line and neighbourhood policing.



### Councillor Barrie Patman

**Successes**– Achieving a good working relationship with the Office of the Police and Crime Com-missioner which gives the Panel a good insight into the PCC’s expectation's

**Challenges**– It has been difficult to fully understand what the Government requires the Panel to do beyond its statutory role and powers and this needs to be resolved.



### Councillor Pam Pearce

**Successes**– Holding the PCC to account on key issues such as rural crime and child sexual exploi-tation and inviting external partners to input into the discussion at the meeting.

**Challenges**– Obtaining good performance management information which identifies any risks or concerns which can then be addressed to the Police and Crime Commissioner.



## Reflections of our Panel Members



### **Councillor Mohammed Sharif**

**Successes and Challenges**– The Community Safety Funding allocations to various organisations, should be protected in areas with the highest crime rates.



### **Councillor Margaret Burke**

**Successes**—The agenda item on Female Genital Mutilation was extremely informative and as a result of this discussion my Council now has a policy on FGM which will be monitored and reviewed.

**Challenges**– It would be helpful to have further detailed timely responses from the Police and Crime Commissioner to ensure the Panel can scrutinise him more effectively on the delivery of his plan.



### **Councillor Quentin Webb**

**Successes**—Working together to raise awareness of Domestic Abuse, to encourage reporting and to deliver a good response to victims and perpetrators

**Challenges**— for community safety partners to respond effectively to emerging crimes such as those committed via the internet.



### **Councillor George Reynolds**

**Successes**– Despite coming from a large area with different policing needs we have been able to agree with our aims in supporting and scrutinising the Police and Crime Commissioner

**Challenges**– we must continue to expand our knowledge of what we are doing and continue to be able to act as a unit in our main responsibility in working with the public and the Commissioner.



### **Councillor Mike Welply**

Mike Welply sadly passed away this year. The Council has commented that the themed meetings have been welcomed looking at key issues for the Thames Valley such as rural crime and CSE but that these emerging crimes are challenging to deal with.

## Achievements 2014/15

### Task and Finish Groups

**Budget**—The Panel undertook its annual review of the Police and Crime Commissioner’s proposed budget and Council Tax precept on 30 January 2015. In the build up to this meeting a small group of members of the Panel met on two occasions to discuss the budget papers in detail and to develop detailed questions for the Commissioner. The whole Panel then accepted



their report and discussed the precept.

**Partnership Working** - A Task and Finish Group was set up to look at the effectiveness of working between the PCC and key partnerships. A questionnaire was sent to Community Safety Partnerships, Health and Wellbeing Boards and Safeguarding Boards. The response from partners concluded that a good working relationship existed between the partners with a clear understanding of roles and responsibilities and they welcomed the PCC attendance at meetings. The questionnaire will be undertaken again in a year

### Themed Meetings

**Female Genital Mutilation**—this procedure intentionally alters or causes injury to the female genital organs for non-medical reasons and is illegal in the

UK. It is a difficult area for prosecutions to take place because of low reporting. Members were asked to raise awareness of this issue through their Council, Scrutiny Committees and Health and Wellbeing Boards and the Chairman also wrote a formal letter to these Member Groups expressing concern on behalf of the Panel.

**Rural Crime**—representatives from the Country and Landowners Association and the National Farmers Union attended a meeting to discuss rural crime. Through targeted initiatives the PCC had made good progress against rural crime. However, in future years there was concern about a reduction in funding and how this would impact on rural crime.

**Child Sexual Exploitation**— this discussion was timely following the Oxfordshire Serious Case Review. A number of improvements had been put in place as a result of cases of CSE and Members agreed that a Sub-Committee should be set up to monitor progress on this area across the Thames Valley to ensure a consistent approach to preventing this horrific crime. A representative from Barnardo’s also attended to inform the discussion at the Panel meeting.

**Police and Crime Panel Conference** - The Panel also held its second **conference** at the Kassum Stadium in Oxford in July 2014. This conference was attended by people representing a range of organisations from across the Thames Valley such as Councillors, Community Safety Partnership leads, scrutiny officers, and the voluntary and community sector. Panel Chairmen from Wiltshire and Swindon and Leicestershire contributed to the discussion on the future of Police and Crime Panels.

**Engaging with Residents and Stakeholders**—The Panel is also utilising social media and meetings are being webcasting where facilities allow. A public question time was introduced at the September meeting. There are currently 348 followers. 7 press releases have been produced and the Panel has had 16 recorded pieces of coverage

## Looking to the Future 2015/16

### Planned Work

The Panel has agreed to set up a Child Sexual Exploitation Sub-Committee to support, monitor and scrutinise the PCC performance on preventing and taking action with regard to CSE across the Thames Valley.

This is not an Inquiry but to help improve standards across the Thames Valley so that the police are providing a consistently strong approach to tackling CSE. Membership and the terms of reference of the Sub-Committee will be agreed in July.

Themed meetings will continue for the year ahead and the Panel will be looking at areas such as victims commissioning which is a new responsibility for the PCC, cyber crime and the Prevent agenda. A Member from Bracknell Forest DC is also leading on some research with Cambridge University on domestic violence in conjunction with the Local Area Police.

There are a large number of new Members on the Panel, including two new co-opted Members so an induction event will be held in July.

### Challenges

Members will carry out the annual review of the Police and Crime Commissioner's proposed budget and Council Tax precept. This will be a challenging year as the PCC is concerned about frontline policing and reducing resources. Some of the challenges still remain the same but we are trying to find ways to improve these areas.

- **Engaging with residents and key stakeholders-** The Thames Valley is the largest non-metropolitan police force area in England, which provides difficulties in terms of the public accessing Panel meetings on a regular basis although webcasting should improve accessibility.



- **Complaints-** The Panel, through its complaints sub-committee is responsible for all non-criminal complaints directed against the Police and Crime Commissioner, including conduct matters. A number of the complaints the sub-committee receives are still historical and the system is being perceived as a new opportunity by some residents with long-standing complaints to get them reopened. Such complaints are resource intensive.
- **Access to timely performance information-** Like many Panels we have a challenge in accessing timely performance information to allow us to develop an outcomes focused work programme. Access to such information would allow the Panel to examine areas of poor performance and also identify areas of high performance.

For further information on the Panel  
<http://www.buckscc.gov.uk/about-your-council/scrutiny/thames-valley-police-and-crime-panel/>

For Panel Meetings  
<https://democracy.buckscc.gov.uk/mgCommitteeDetails.aspx?ID=751>

For Twitter @ThamesValleyPCP



## Report to the Thames Valley Police & Crime Panel

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**Title:** Report of the Thames Valley Police & Crime Panel on the Terms of Reference for the CSE Sub-Committee

**Date:** 17<sup>th</sup> July 2015

**Author:** Clare Gray , Committee Advisor,  
Thames Valley Police & Crime  
Panel



### Background

1. In 2013/4 the Thames Valley Police and Crime Panel received detailed briefings on the various issues arising from the work being carried out by the Force and their response to Child Sexual Exploitation (CSE).
2. This was in response to Operation Bullfinch, which is the operational name for the Police/Council investigation that focussed on offences related to the sexual exploitation of a number of vulnerable girls, in Oxford from 2004 onwards.
3. The Panel decided last year to have one themed item at each Panel Meeting to discuss items in depth and at the last meeting Child Sexual Exploitation was discussed as a themed item. Following their discussion Members decided to set up a Sub-Committee, the purpose of which is to support, monitor and scrutinise the PCC on preventing and taking action with regard to CSE across the Thames Valley.

### Considerations around the Terms of Reference

4. Members agreed at the last meeting that a Sub-Committee be set up rather than a Task and Finish Group as Members wanted to support and monitor the performance of the PCC rather than undertake a specific investigation. It would be helpful for other agencies to provide information in this regard but there would be no scrutiny of other agencies.
5. It is important to link this with other work being undertaken across the Thames Valley. For example Bucks County Council's Select Committee is currently undertaking an Inquiry into Child Sexual Exploitation. It is important because of limited resources to ensure there is no duplication of work and that existing documents are used where possible to not increase pressure on other agencies.
6. One of the aims is to ensure a consistent approach and co-operation of partners across a diverse area such as the Thames Valley.

7. The key areas that could be included are:-

- The extent and profile of CSE in the Thames Valley and lessons learnt
- Documents such as the Police and Crime budget and Plan, Local CSE Strategies, TVP action plans and performance, Health and Wellbeing Strategy, Joint Strategic Needs Assessment, Transforming the Criminal Justice System etc.
- Raising standards in tackling CSE across the Thames Valley so that the Police Service are providing a consistently strong approach to tackling CSE (with reference to national documents such as Tackling Child Sexual Exploitation Action Plan, ACPO National Action Plan)
- How TVP are working with key stakeholders and partners e.g , role of Local Authorities with regard to CSE prevention and detection strategies, Multi Agency Safeguarding Hubs, Health Service, Criminal Justice System and Victims Commissioning
- Awareness and training of CSE in the Thames Valley e.g role of Panel Members in championing CSE prevention and awareness in their own areas

#### **Recommendation**

- **That the terms of reference attached at Appendix 1 be agreed**
- **That nominations be put forward for Membership of the Sub-Committee as defined in the paragraph on this issue within the terms of reference.**

#### **Background documents**

[Oxford Serious Case Review](#)

[House of Commons Report CSE in Rotherham](#)

[Children's Commissioners Report on CSE in Gangs and Groups](#)

[LGA Resource Pack on Tackling Child Sexual Exploitation](#)



## Thames Valley Police and Crime Panel Sub-Committee on Preventing Child Sexual Exploitation Terms of Reference

The Panel may set up Sub-Committees to undertake specified functions of the Panel. The role of Sub-committees is to carry out delegated Panel functions, excluding those functions that are not able to be delegated under the Act. Sub-Committees may formally take decisions as delegated to them by the Panel. The Panel agreed at its meeting on 27 March 2015 to set up a Sub-Committee to look at Child Sexual Exploitation. The Panel agrees the terms of reference and delegations, purpose and objectives, resources, timescales and membership.

### *Purpose/Objective*

The purpose of the Sub-Committee is to support, monitor and scrutinise the Police and Crime Commissioner on preventing and taking action with regard to Child Sexual Exploitation across the Thames Valley to provide assurance to Panel Members. This is not a Task and Finish Group and will operate on the same basis as the Panel e.g not look at operational matters. Other partner agencies will be invited to attend the Sub-Committee to provide information but not to be scrutinised.

Areas that this includes are as follows:-

- The extent and profile of CSE in the Thames Valley and lessons learnt
- Documents such as the Police and Crime budget and Plan, Local CSE Strategies, TVP action plans and performance , Health and Wellbeing Strategy, Joint Strategic Needs Assessment, Transforming the Criminal Justice System etc.
- Raising standards in tackling CSE across the Thames Valley so that the Police Service are providing a consistently strong approach to tackling CSE (with reference to national documents such as Tackling Child Sexual Exploitation Action Plan, ACPO National Action Plan)
- How TVP are working with key stakeholders and partners e.g , role of Local Authorities with regard to CSE prevention and detection strategies, Multi Agency Safeguarding Hubs, Health Service, Criminal Justice System and Victims Commissioning
- Awareness and training of CSE in the Thames Valley e.g role of Panel Members in championing CSE prevention and awareness in their own areas

Other areas may be included if considered appropriate by the Sub-Committee and/or Panel in order to help prevent CSE.

### *Transparency and Communication*

The Sub-Committee will meet in public. The membership, meeting dates, agendas, minutes and recommendations of the Sub-Committees shall be published regularly by the Committee Adviser on the website. Sub-Committees shall report back to the Panel, and the minutes of the Sub-committee shall be received by the Panel.

### *Membership*

The maximum size of a Sub-Committee shall be seven members. The minimum size is three members. For the purpose of this Sub-Committee seven Members will be appointed. In determining the membership of a Sub-Committee the Panel shall give so far as practicable, consideration to the duties in the Act to consider geographical balance; and the skills and expertise of members. For this specific Sub-Committee there should be membership from across the Thames Valley to represent a wide geographic area as possible.

### *Chairman and Vice-Chairman*

Each Sub-Committee shall agree the Chairman and Vice Chairman of that Sub-Committee, subject to that Chairman and Vice Chairman being ratified by the Panel. Where the Chairman is not in attendance at a Sub-Committee, the Vice-Chairman shall preside. If both are absent, the members of the Sub-Committee shall appoint an acting Chairman from the present members for the meeting in question.

### *Agreement of recommendations*

The Sub-Committee shall report back to the Panel, and the minutes of the Sub-Committee shall be received by the Panel. The PCC may then issue a response to the Panel on whether he accepts the recommendations made.

### *Attendance*

All Sub-Committee Members are expected to regularly attend meetings. Where a member of a Sub-Committee fails to attend regularly, the Chairman may seek for that person to be replaced by another representative.

### *Quorum*

This Sub-Committee should not have less than three Members attending.

### *Frequency of Meetings*

This Sub-Committee will meet a minimum of two times a year. The Chairman may call meetings more frequently if deemed necessary or if requested by the Panel. Meetings will only be cancelled by request of the Chairman. This is a standing sub-committee of the Panel. If the Chairman of the Panel and/or the Sub-Committee decide that its work has been completed a recommendation should be put to the Panel to disband the Sub-Committee.

### *Secretariat and Administration*

The secretariat shall be provided by the Committee Adviser for the Police and Crime Panel. The Committee Adviser will agree an agenda with the Chairman prior to each Sub-Committee meeting. The agenda and any papers for the Sub-Committee will be issued at least 5 working days (where practicable) in advance of the meeting except in the case of matters of urgency. The Committee Adviser will circulate minutes of each meeting to the Chairman within ten working days including all actions and agreements.



## Report to the Thames Valley Police & Crime Panel

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**Title:** Review of Panel Rules of Procedure and Budget

**Date:** 17 July 2015

**Author:** Clare Gray, Committee Adviser,  
Thames Valley Police & Crime  
Panel




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### **Background**

1. The Panel operates in accordance with specifications outlined in Rules of Procedure and Panel Arrangements documents. The Rules of Procedure were originally agreed by the Panel at its 19 July 2012 meeting and subsequently reviewed and agreed at the Panel's AGM on 12 July 2013.
2. In terms of the Panel budget, some assumptions have been previously made and agreed as follows:-
  - support has included a range of professional expertise from scrutiny, legal and democratic services. Members agreed that the main Home Office funding should be used to provide scrutiny resources to support its work as this would be the core officer support needed to help the Panel conduct its business.
  - expenses and allowances: Members agreed that each individual Authority should pay expenses and allowances of their representative on the Panel. Reasonable expenses will be paid by the Host Authority for co-optees. These points are reflected in the signed-off Panel Arrangements (para 6.0)

### **Annual Review of the Panel Rules of Procedure**

3. The Panel Rules of Procedure (Appendix B) stipulate that:
  - [1.3] *The Rules shall be reviewed annually at the Panel's Annual meeting ...*
  - [1.4] *The Rules shall not be amended unless written notification of the amendment/s required are received by the Panel Secretariat not less than fifteen working days prior to the Panel meeting ...*
  - No amendments have been received by the Panel Secretariat. However, the following point will require discussion at this meeting: 4.5 location of meetings
4. Meeting venues
 

Historically, meetings have been rotated around the Thames Valley for the first two years which has been useful in terms of local knowledge and attracting local interest. Members then agreed that in order for ease of travelling around the Thames Valley that meetings

should be located in one venue for each of the historic county areas; Buckinghamshire, Berkshire and Oxfordshire. Venues have been chosen that are central or provide webcasting such as Aylesbury Vale District Council (cost £600), South Oxfordshire District Council (no longer available) and Wokingham Borough Council (cost £400 - this venue does not provide webcasting). Members are asked to consider whether they wish to continue this arrangement (and agree a venue for Oxfordshire – Cherwell District Council provide webcasting (approx. cost £340) or whether they would like to meet in one venue which is central and provides webcasting.

One of the points made in the report of the Committee for Standards in Public Life is that PCC were established to inject greater dynamism and visibility into local policing and offer a new form of democratic accountability (which emphasise the importance of webcasting.)

### **Consideration of Draft Panel Budget**

5. The Panel Arrangements document states:  
*[5.1] An annual draft budget for the operation of the Panel shall be drawn up each year by the Host Authority and approved by the Panel.*
6. There has been no change to the Home Office Grant allocation for the Panel which is £64,340. The Home Office has gained approval to “de-hypothecate” Police and Crime funding for both England and Wales. This means that for grants issued in 2015/16 financial year, the grant payment will be consolidated into one single payment, with no ring-fencing for administration, expenses or translation costs. This will provide Panel’s increased flexibility over how to spend their grants. There is a transparency requirement that the Panel (via the Host Authority website) must publish as a minimum, details of all the expenditure including panel administration costs, translation costs and individual Panel Member claims for expenses.
7. The grant returned to the Host Authority for 2014 was £45,000 for services as outlined below.
8. The budget will be managed by the Host Authority, which was Buckinghamshire County Council for 2014/15 (the Host Authority will normally be the same Authority as the Member representative who is Chairman).
9. The Host Authority will need to decide how to allocate the budget accordingly covering the following costs:-
  - Scrutiny, policy, management, communications, legal and democratic services support for the Panel, its Sub-Committees and Task and Finish Groups
  - Administrative costs such as venue hire, catering and webcasting
  - General expenses for travel and subsistence and training

### **RECOMMENDATION**

**It is recommended that the Panel:-**

- i) Approve that the budget is managed by the Host Authority using the same budget assumptions as outlined above .**
- ii) Approve the Rules of Procedure set out in Appendix A subject to minor changes regarding rotating venues.**

## Thames Valley Police and Crime Panel

### Thames Valley Police & Crime Panel

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**Title: Thames Valley Police and Crime Panel Rules of Procedure**

**Date: Agreed 11 July 2014**




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### Rules of Procedure

These rules of procedure were originally agreed by the Thames Valley Police and Crime Panel at its meeting on 19 July 2012 and subsequently reviewed and agreed at the Panel's AGM on 12 July 2013.

#### 1.0 General

1.1 In this document:

the "Panel" is the Police and Crime Panel for the Thames Valley Police Force;

the "Secretariat" is the financial, administrative, scrutiny and other officer support to the Panel;

the "Host Authority" is the council which is host to the Secretariat at the relevant time;

the "Act" is the Police Reform and Social Responsibility Act 2011;

the "Panel Arrangements Document" is the document which sets out the agreement of all 18 principle Authorities on the overarching framework for how the Panel will operate;

the "Rules" are the rules as set out in this Rules of Procedure Document.

1.2 These Rules of Procedure ("the Rules") are made by the Panel pursuant to Schedule 6, paragraph 25, of the Police Reform and Social Responsibility Act 2011 (the 'Act'). The Police and Crime Panel ('the Panel') will be conducted in accordance with the Rules. The Rules should be read and considered in conjunction with the Panel Arrangements.

1.3 The Rules shall be reviewed annually at the Panel's Annual meeting. In the first year of operation amendments may be made mid-year to take into account the Memorandum of Understanding between the Panel and the newly elected Police and Crime Commissioner; and at any time may be updated should regulations require.

1.4 The Rules shall not be amended unless written notification of the amendment/s required are received by the Panel Secretariat not less than fifteen working days prior to the Panel meeting. No amendment may be considered by the Panel which does not comply with the Act, relevant Regulations or statutory guidance.

1.5 If there is any conflict in interpretation between these Rules and the Act or Regulations made under the Act, the Act and Regulations will prevail. The Monitoring Officer of the Host Authority will have the final ruling as to the interpretation of legal requirements, these Rules and the Panel Arrangements Document.

1.6 Where the Rules do not explicitly address an issue the Standing Orders from the Host Authority will apply.

1.7 All Panel members will be subject to a Member Code of Conduct which for elected members will be those of their own Council; co-opted members will be subject to the Code of Conduct of the Host Authority provided that the Panel may agree to adopt such additional protocols as it thinks fit.

## **2.0 Election of Chairman and Vice-Chairman**

2.1 The Chairman and Vice-Chairman of the Panel shall be elected from amongst the members of the Panel. The election will take place annually at the Annual meeting of the Panel, which will normally be held in June of each year.

2.2 Save for the requirement for re-election; there is no maximum term length for the Chairman or Vice-Chairman positions.

2.3 The positions will be elected by those members present at the June/July Annual Meeting by a simple majority vote.

2.4 The Vice-Chairman will preside in the absence of the Chairman and if neither is present the Panel will appoint a Chairman from among the remaining Members for the purposes of that meeting.

## **3.0 Resignation and removal of the Chairman and Vice- Chairman**

3.1 The Chairman and/or Vice-Chairman may be removed by a vote of no confidence by a simple majority vote at a formal meeting of the Panel.

3.2 In the event of the resignation or removal of the Chairman or Vice-Chairman an election for the position will be held at the next meeting of the Panel.

## **4.0 Panel Meetings**

4.1 The Panel will hold at least six ordinary meetings per year to carry out its functions. The calendar of meetings will normally be agreed by the Panel at its Annual Meeting. .

4.2 Extraordinary meetings may also be called by the Chairman or by any four Members of the Panel by giving notice in writing to the Secretariat.

4.3 At least 10 working days notice will be given before an Extraordinary meeting (unless the Chairman agrees that there are special reasons for an urgent meeting) and the meeting must then be held within 20 working days of the notice.

4.4 Any request for an Extraordinary Meeting must specify the particular item of business for which the Extraordinary Meeting of the Panel is to be called.

4.5 The panel will meet at 3 set locations within the Thames Valley area, one within each county area covered by the region. The Panel will favour venues that have webcasting facilities to allow residents and stakeholders the opportunity to access meetings. The venues, to be reviewed on an annual basis, for 2014/15 are:

- The Oculus, Aylesbury Vale District Council
- Council Chamber, South Oxfordshire District Council
- Council Chamber, Wokingham Borough Council

The venues are subject to change at the discretion of the Panel in exceptional circumstances.

4.6 Ordinary meetings will take place in accordance with a work programme agreed by the Panel, and will start at the time decided by the Panel. The maximum length of a meeting shall normally be three hours.

4.7 The agenda to be followed at ordinary meetings will be as follows:

- a) to receive apologies for absence;
- b) to receive any declarations of interest from members;
- c) to approve the minutes of the last meeting;
- d) to receive the minutes of sub-committees and task groups and any reports submitted to the Panel by those Sub-committees and task groups; and
- e) to consider written and verbal reports from officers and Panel members; and
- f) items requested by members of the Panel in accordance with 4.10

4.8 The only business to be conducted at an Extraordinary Meeting of the Panel will be to choose a person to preside if the Chairman and Vice-Chairman are absent or otherwise unable to preside and to consider the matter specified in the request to call an Extraordinary Meeting. No other business may be conducted at the meeting unless the Panel otherwise resolve.

4.9 The Panel Agenda, and accompanying papers, will normally be issued to Panel Members at least 5 working days before the meeting. It will also be published on the Panel's website, and publicised by any other means the Panel considers appropriate. Papers will normally be sent by Email.

4.10 The Secretariat will endeavour to co-ordinate the circulation of papers as early as possible to enable members to have as much time as possible to consider the issues before the meeting.

*The scheduling of ad-hoc agenda items*

4.11 Any Member of the Panel shall be entitled to give notice to the Secretariat that he or she wishes an item relevant to the functions of the Panel to be included on the agenda following the existing scheduled items of business. Items will normally be considered at the next ordinary meeting of the Panel, providing that the following conditions apply:

At least 15 working days written notice is given to the Secretariat (The PCC is required to be given 10 working days notice therefore this timing allows for discussions prior to this).

The item must be relevant to the remit of the Panel, as set out in the Panel Arrangements Document.

The item must not have been already considered within the last six months by the Panel.

4.12 In the event of a dispute on whether the conditions listed above apply, the Monitoring Officer of the Host Authority will advise the Chairman and Panel. The Panel's decision shall be final.

4.13 Where the conditions above apply and the agenda item is discussed, the Panel may consider at this point whether any further action is needed in terms of further agenda time; investigation outside of the meeting; or a written response or information from the PCC.

### **5.0 Quorum**

5.1 A meeting of the Panel cannot take place unless at least one third (7) of the membership of the Panel is present.

### **6.0 Voting**

6.1 A decision is taken by a majority of those present and voting.

6.2 Voting is generally by a show of hands unless a named vote is called for by a member of the Panel.

6.3 If a Panel Member arrives at the meeting before the casting of votes on any item has been commenced he/she is entitled to vote on that item.

6.4 Immediately after a vote is taken any Panel Member may ask for it to be recorded in the minutes that he/she voted for or against the question, or that he/she abstained.

6.5 The Chairman of the Panel, or other person presiding, shall have a second and/or casting vote where votes for and against a proposal are equal. There shall be no restriction on the manner in which the casting vote is exercised.

## **7.0 Public Participation**

The Panel will allow up to 20 minutes at each full meeting held in public for public questions. Public questions will be subject to strict criteria that will be set out and made publicly available in the Panel's Public Question Time Scheme. The scheme will be reviewed on an annual basis.

## **8.0 Work Programme**

8.1 The Panel will be responsible for setting its work programme. In doing so it shall have regard to:

- a) the requirement to undertake the functions and responsibilities of the Panel as set out in the Act including consideration of the necessary timings to meet its legal responsibilities;
- b) the priorities defined by the PCC;
- c) the ascertainable views of the public on Police and Crime matters;
- d) the views of key partners, including Probation, Health, Community Safety Partnerships;
- e) the views of its members and advisers; and
- f) the resources available to support the delivery of the work programme.

## **9.0 Sub-Committees**

9.1 The Panel may set up sub-committees to undertake specified functions of the Panel. The role of sub-committees is to carry out delegated Panel functions, excluding those functions that are not able to be delegated under the Act. Sub-committees may formally take decisions as delegated to them by the Panel.

9.2 The work to be undertaken by a sub-committee will be agreed by the Panel. In commissioning the work the Panel will agree as part of the scoping document the following:

terms of reference and delegations

purpose/objectives

resources

timescales for completing the work and reporting back

membership

9.3 The Panel shall appoint sub-committees. The Chairman of the Panel may make a recommendation to the Panel on Membership.

9.4 The maximum size of a sub-committee shall be seven members. The minimum size is three members. Size shall be determined on a case-by-case basis at the point that the review is commissioned.

9.5 The membership of sub-committees shall be confined to members of the Panel.

9.6 In determining the membership of a sub-committee the Panel shall give so far as practicable, consideration to the duties in the Act to consider political balance; geographical balance; and the skills and expertise of members.

9.7 Sub-Committees shall report back to the Panel, and the minutes of the Sub-committee shall be received by the Panel.

## **10 Task Groups**

10.1 The role of Task Groups is to undertake time-limited investigations into particular issues, such as a scrutiny topic review. They are informal working groups, and as such have no decision-making power. Task Groups will report back upon the completion of their work with a report and recommendations to the Panel.

10.2 The work to be undertaken by a Task Group will be agreed by the Panel. In commissioning the work the Panel will agree as part of the scoping document the following:

- terms of reference;
- purpose/objectives;
- approach to gathering evidence;
- resources to support the review;
- timescales for completing the work and reporting back; and
- membership.

10.3 Task Groups can only make reports or recommendations to the Panel. The Panel will consider reports it receives, and if agreed, such reports may be adopted as the Panel's report.

10.4 The Panel will appoint Task Groups. The Chairman of the Panel may make a recommendation to the Panel on the membership.

10.5 The maximum size of a Task Group shall be agreed by the Panel at the point that the review is commissioned. The minimum size is three members.

10.6 The Panel shall appoint a Chairman of the Task Group from within the membership of the Panel. The Chairman of the Panel may make a recommendation on whom to appoint.

10.7 The composition of a Task Group will be determined by the role it is to perform. Whilst issues of political and geographical balance may be taken into account, to help the effectiveness of the group consideration may also be given to:

- skills and expertise
- availability of members to undertake the work
- interest and commitment

10.8 The Panel may choose to co-opt non-Panel members onto a Task Group if it is considered that they possess skills, expertise, or a perspective which will assist the Group in its work. Co-opted members on a Task Group are non-voting members of the Group.

10.9 The following eligibility rules will apply to non-voting co-opted members of Task Groups:

must live and/or work in the Thames Valley Police Force area; and

must be able to provide expertise/layperson's perspective to assist the group in carrying out its scrutiny function.



## **11.0 Panel Reports and Recommendations—General**

11.1 Where the Panel makes a report to the PCC it will publish the report or recommendations on its website, except where the information is exempt or confidential as defined in the Local Government Act 1972 (as amended).

11.2 The Panel may require the PCC within 20 working days (or within such other period as is indicated in these Rules) of the date on which s/he receives the Panel's report or recommendations to:

- a) consider the report or recommendations;
- b) respond to the Panel indicating what (if any) action the PCC proposes to take;
- c) where the Panel has published the report or recommendations, publish the response from the PCC.

11.3 The Panel will formally make requests to the PCC or issue other statements by way of reports and recommendations. As the Panel is a scrutiny body, rather than an executive decision-making committee, motions or resolutions will not be considered by the Panel.

### *Procedure for Agreeing Reports and Recommendations*

11.4 Recommendations to the PCC from the Panel will be made as an outcome of a scrutiny review or as a result of an agenda item discussion.

11.5 As a cross-party scrutiny committee reports and recommendations to the PCC should normally be agreed by consensus rather than a formal vote. Where this is not possible a vote may be taken, under the voting procedure outlined above. This includes the option of a Panel member requesting a named vote is taken at the meeting to ensure that views are minuted.

### *Minority Reporting*

11.6 In exceptional circumstances, one minority report in relation to reports prepared by Task Groups may be prepared and submitted for consideration with the majority report to the PCC. Where a member or members wish to submit a minority report the Chairman of the Panel and Secretariat should be notified as soon as possible in advance of the Panel meeting, normally 10 working days notice should be given depending on the timing of the Task Group's consideration of its majority report.

11.7 The PCC's responsibilities and remit relate to the Committee as a whole, therefore the PCC will respond to the Committee as a whole and not to individual members of the Panel. This means that for the purposes of communication to the public, stakeholders and the PCC the majority report represents the viewpoint of the Panel and the PCC will be required only to respond to the majority report.

## **12.0 PCC and others giving account**

12.1 The presumption will be that the PCC will be required to attend all formal Police and Crime Panel meetings (ordinary and extraordinary) to answer questions which may be necessary to assist the Panel in discharging its functions, unless the Panel decides that this is not necessary and informs the PCC that they will not be required.

12.2 The PCC shall be notified on the Annual Work Programme of the Panel including meeting dates.

12.3 In setting the Annual Work Programme the Panel should identify and consider where possible what papers will be required, and if any supporting staff from the Secretariat, Police or otherwise are likely to be needed in addition to the PCC, in order to give as much notice as possible.

12.4 Where a new agenda item is scheduled for a meeting that is not included within the work programme and the PCC (and staff/or Chief Constable) is required to attend, the Secretariat will inform the relevant persons of the nature of the agenda item and any written information that is required as soon as possible.

12.5 At least 15 working days notice will be given of the new agenda time to the PCC and any requirement to provide written information (owing to the access of information requirements this equates to 10 working days notice for the provision of written information).

12.6 In exceptional circumstances, and where there is agreement between the PCC and Chairman of the Panel, shorter notice may be required for either attendance or papers.

12.7 If the Panel requires the PCC to attend before the Panel, the Panel may also request the Chief Constable to attend on the same occasion to answer any questions which appear to the Panel to be necessary in order for it to carry out its functions.

12.8 In undertaking its functions, the Panel may invite persons other than those referred to above to attend Panel meetings, to address the meeting, discuss issues of local concern and/or answer questions. This may, for example and not exclusively, include residents, stakeholders, Council Members who are not members of the Panel and officers from other parts of the public sector.

### **13.0 Special Functions**

13.1 The Special Functions of the Panel, as set out in the Panel Arrangements, are those functions which are conferred on the Panel in relation to:

- a) the review of the Police and Crime Plan as required by Section 28(3) of the Act;
- b) the review of the Annual Report as required by Section 28 (4) of the Act;
- c) the review of senior appointments in accordance with Paragraphs 10 and 11 of Schedule 1 of the Act;
- d) the review and potential veto of the proposed precept in accordance with Schedule 5 of the Act;
- e) the review and potential veto of appointment of the Chief Constable in accordance with Part 1 the Act.

### **14.0 Police and Crime Plan**

14.1 The Panel is a statutory consultee on the development of the PCC's Police and Crime Plan and will receive a copy of the draft Police and Crime Plan, or a draft of any variation to it, from the PCC.

14.2 The Panel will:

- a) hold a meeting to review the draft Police and Crime Plan (or a variation to it); and
- b) report or make recommendations on the draft Plan which the PCC must take into account.

### **15.0 Annual Report**

15.1 The PCC must publish an Annual Report about the exercise of his/her functions in the financial year and progress in meeting police and crime objectives in the year. The report must be sent to the Panel for consideration.

15.2 The Panel must comment upon the Annual Report of the PCC, and for that purpose must:

- a) arrange for a meeting of the Panel to be held as soon as practicable after the Panel receives the Annual Report;
- b) require the PCC to attend the meeting to present the Annual Report and answer such questions about the Annual Report as the Panel think appropriate;
- c) make a report and/or recommendations on the Annual Report to the PCC.

## **16.0 Proposed precept**

*[this section will be updated in light of forthcoming regulations]*

16.1 The Panel will receive notification from the PCC of the precept that they are proposing to issue for the coming financial year. The Panel will arrange for a meeting of the Panel to be held as soon as practicable after the Panel receives the proposed precept and make a report including recommendations.

16.2 Having considered the precept, the Panel will:

- a) support the precept without qualification or comment; or
- b) support the precept and make recommendations; or

The Panel would need to indicate whether it considered the proposed precept to be too high or too low.

c) veto the proposed precept (by the required majority of at least two thirds of the persons who are members of the Panel and present at the time when the decision is made).

16.3 If the Panel vetoes the proposed precept, the report to the PCC must include a statement that the panel has vetoed the proposed precept and give reasons for that decision. The Panel will require a response from the PCC to the report and any such recommendations.

## **17.0 Senior Appointments**

17.1 The Panel must review the proposed appointment by the PCC of the Chief Constable, Chief Executive, Chief Finance Officer and Deputy Police and Crime PCC.

17.2 The Panel will receive notification of the proposed appointment from the PCC, which will include:

- a) the name of the candidate;
- b) the criteria used to assess suitability of the candidate;
- c) why the candidate satisfies the criteria; and
- d) the terms and conditions proposed for the appointment.

17.3 The Panel must hold a confirmation hearing for all proposed senior appointments within 15 working days of receipt of notification by the PCC. It must also report to the PCC at the same time with its recommendations. The 15 working days will not include the post-election period.

17.4 The confirmation hearings will be held in public and the candidates will be questioned in relation to their appointment. Candidates must attend, either in person or by video link.

17.5 Following the hearing, the Panel will make a report and/or recommendations to the PCC on the proposed appointment. The PCC must respond in writing within the usual 20 working days confirming whether the recommendation has been accepted or not.

17.6 In relation to the proposed appointment of the Chief Constable, the Panel is required to make recommendations to the PCC and has the power to veto the appointment. Following the hearing, the Panel will be asked to:

- a) support the appointment without qualification or comment;
- b) support the appointment with associated recommendations, or

c) veto the appointment of the Chief Constable (a two thirds majority is required of those members present at the time when the decision is made).<sup>1</sup>

17.7 If the Panel vetoes an appointment, it must set out its reasons for doing so in a report to the PCC and the PCC must not then appoint that candidate as Chief Constable.

### **18.0 Suspension of the Police and Crime Commissioner**

18.1 The Panel may suspend the PCC if it appears to the Panel that:

- a) the PCC is charged in the United Kingdom, the Channel Islands or the Isle of Man with an offence; and
- b) the offence is one which carries a maximum term of imprisonment exceeding two years.

18.2 This decision will be taken at a formal Panel meeting via a vote.

18.3 The suspension of the PCC ceases to have effect upon the occurrence of the earliest of these events:

- a) the charge being dropped;
- b) the PCC being acquitted of the offence;
- c) the PCC being convicted of the offence but not being disqualified under Section 66 of the Police Reform and Social Responsibility Act 2011 by virtue of the conviction; or
- d) the termination of the suspension by the Police and Crime Panel.

18.4 In this section references to an offence which carries a maximum term of imprisonment exceeding two years are references to:

- a) an offence which carries such a maximum term in the case of a person who has attained the age of 18 years, or
- b) an offence for which, in the case of such a person, the sentence is fixed by law as life imprisonment.

### **19.0 Suspension and Removal of the Chief Constable**

19.1 The Panel will receive notification if the PCC suspends the Chief Constable.

19.2 The PCC must also notify the Panel in writing of his/her proposal to call upon the Chief Constable to retire or resign together with a copy of the reasons given to the Chief Constable in relation to that proposal.

19.3 The PCC must provide the Panel with a copy of any representations from the Chief Constable about the proposal to call for his/her resignation or retirement.

19.4 If the PCC is still proposing to call upon the Chief Constable to resign, she/he must notify the Panel accordingly (the 'further notification').

19.5 Within 30 days from the date of receiving the further notification the Panel must make a recommendation in writing to the PCC as to whether or not s/he should call for the retirement or resignation. Before making any recommendation the Panel may consult the chief inspector of constabulary, and must hold a meeting.

19.6 The scrutiny hearing which must be held by the Panel is a Panel meeting in private to which the PCC and Chief Constable are entitled to attend to make representations in relation

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<sup>1</sup> Subject to change following HO regulations

to the proposal to call upon the Chief Constable to retire or resign. Appearance at the scrutiny hearing can be by attending in person or video link.

19.7 The PCC may not call upon the Chief Constable to retire or resign until the end of the scrutiny process which will occur:

- (a) at the end of 30 days from the Panel having received notification if the Panel has not by then given the PCC a recommendation as to whether or not she/he should call for the retirement or resignation; or
- (b) the PCC notifies the Panel of a decision about whether she/he accepts the Panel's recommendations in relation to resignation or retirement.

19.8 The PCC must consider the Panel's recommendation and may accept or reject it, notifying the Panel accordingly.

## **20.0 Appointment of an Acting Police and Crime Commissioner**

20.1 The Panel must meet to appoint a person to be acting PCC if:

- a) no person holds the office of PCC;
- b) the PCC is incapacitated (i.e. unable to fulfil the functions of PCC) which is a matter for the Panel to determine; or
- c) the PCC is suspended.

20.2 In the event that the Panel has to appoint an acting PCC it will meet to determine the process for appointment which will comply with these Rules of Procedure and any legal requirements.

20.3 The Panel may appoint a person as acting PCC only if the person is a member of the PCC's staff at the time of the appointment.

20.4 In appointing a person as acting PCC in a case where the PCC is incapacitated, the Panel must have regard to any representations made by the PCC in relation to the appointment.

20.5 The appointment of an acting PCC will cease to have effect upon the earliest of the following:

- a) the election of a person as PCC;
- b) the termination by the Panel, or by the acting PCC, of the appointment of the acting PCC;
- c) in a case where the acting PCC is appointed because the PCC is incapacitated, the PCC ceasing to be incapacitated; or
- d) in a case where the acting PCC is appointed because the PCC is suspended, the PCC ceasing to be suspended.

20.6 Where the acting PCC is appointed because the PCC is incapacitated or suspended, the acting PCC's appointment does not terminate because a vacancy occurs in the office of PCC.

## **21.0 Complaints**

21.1 Serious complaints which involve allegations which may amount to a criminal offence by the PCC or senior office holders are dealt with by the Independent Police Complaints Commission (the 'IPCC').

21.2 The Panel may however be involved in the informal resolution of certain other complaints against the PCC and Deputy PCC, where they are not being investigated by the IPCC or cease to be investigated by the IPCC.

21.3 The Panel shall have a Complaints Procedure for complaint handling that shall be set out in a protocol.

## **22 Further Guidelines/Protocols**

22.1 The Panel may agree further guidelines/protocols to assist it in carrying out its business so long as these are in accordance with the Rules of Procedure, Panel Arrangements and legal requirements.

## **ANNEX A: ACCESS TO INFORMATION STANDING ORDERS**

### **1.0 SCOPE**

1.1 These standing orders apply to all formal meetings of the Police and Crime Panel.

1.2 These rules do not affect any additional rights to information contained elsewhere in this Constitution or granted by law.

### **2.0 RIGHTS TO ATTEND MEETINGS**

2.1 Members of the public may attend all meetings subject only to the exceptions in these standing orders.

### **3.0 NOTICES OF MEETING**

3.1 The Secretariat will give at least ten clear days notice of any meeting by posting details of the meeting at the principal offices of the Host Authority and on the Internet.

### **4.0 ACCESS TO AGENDA AND REPORTS BEFORE THE MEETING**

4.1 The Secretariat will make copies of the agenda and reports open to the public available for inspection at the designated offices at least five clear days before the meeting. If an item is added to the agenda later, the Monitoring Officer of the Host Authority shall make each report available to the public as soon as the report is completed and sent to members, and will ensure that it will be open to inspection from the time the item was added to the supplementary agenda.

### **5.0 SUPPLY OF COPIES**

5.1 The Secretariat will supply copies of:

- a) any agenda and reports which are open to public inspection;
- b) any further statements or particulars necessary to indicate the nature of the items in the agenda; and
- c) if the Monitoring Officer of the Host Authority thinks fit, copies of any other documents supplied to members in connection with an item to any person on payment of a charge for postage and any other costs under the Host Authority's Charging Policy. Under the Freedom of Information Act, information would be supplied free until these costs go over the threshold of £450, when a charge would be levied.

### **6.0 ACCESS TO MINUTES ETC AFTER THE MEETING**

6.1 The Secretariat will make available copies of the following for six years after a meeting:

- a) the minutes of the meeting, or, where appropriate, records of decisions taken, together with reasons, for all meetings of the Panel excluding any part of the minutes of proceedings when the meeting was not open to the public or which disclose exempt or confidential information;
- b) a summary of any proceedings not open to the public where the minutes open to inspection would not provide a reasonably fair and coherent record;
- c) the agenda for the meeting; and

d) reports relating to items when the meeting was open to the public.

## **7.0 BACKGROUND PAPERS**

7.1 *List of background papers:* Reports will include a list (prepared by the Secretariat) of those documents (called background papers) relating to the subject matter of the report which in their opinion disclose any facts or matters on which the report or an important part of the report is based; and which have been relied on to a material extent in preparing the report but does not include published works or those which disclose exempt or confidential information.

7.2 *Public inspection of background papers:* The Council will make available for public inspection for six years after the date of the meeting one copy of each of the documents on the list of background papers.

7.3 *Use of media technology at Panel Meetings:* At the discretion of the Chairman of the Panel recording of meetings and use of media technology will be permitted provided that it does not release information that the Secretariat has identified as being confidential under the Access to Information Regulations.

7.4 The Secretariat supports the use of networking sites to disseminate information during their meetings, provided that confidential information as outlined above is not deliberately or inadvertently disclosed.

## **8.0 SUMMARY OF THE PUBLIC'S RIGHTS**

8.1 A written summary of the public's rights to attend meetings and to inspect and copy documents is available for inspection at the Principal offices of the Host Authority.

## **9.0 EXCLUSION OF ACCESS BY THE PUBLIC TO MEETINGS**

### **Confidential information – requirement to exclude public**

9.1 The public must be excluded from an item at a meeting whenever it is likely in view of the nature of the business to be

9.2 *Meaning of confidential information:* Confidential information means information given to the Panel by a Government Department on terms which forbid its public disclosure or information which cannot be publicly disclosed by reason of a Court Order or any enactment.

9.3 *Exempt information – discretion to exclude public:* The public may be excluded from an item at a meeting whenever it is likely in view of the nature of the business to be transacted or the nature of the proceedings, that exempt information would be disclosed.

9.4 *Meaning of exempt information:* Subject to, and to the test of the Public Interest set out in paragraph below, information is exempt information where it falls within any of the following categories:

- 1 Information relating to an individual.
- 2 Information which is likely to reveal the identity of an individual.
- 3 Information relating to the financial or business affairs of any particular person (including the public authority holding the information), except where the information is required to be registered under certain prescribed statutes including the Companies Act 1985 and the Charities Act 1993. "Financial or business affairs" includes contemplated, as well as past or current activities.
- 4 Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the Authority. "Labour relations matter" means any matter

which may be the subject of a trade dispute, or any dispute about any such matter (ie a matter specified in paragraphs (a) to (g) of section 218(1) of the Trade Union and Labour Relations (Consolidation) Act 1992.

5 Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.

6 Information which reveals that the Authority proposes:

a) to give under any enactment a notice, under or by virtue of which requirements are to be imposed on a person; or

b) to make an order or direction under any enactment.

7 Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.

*9.5 Public interest test:* Information falling within any of categories 1-7 set out above, which is not prevented from being exempt because it falls within category 3, and is required to be registered under the prescribed enactments is exempt information if, and so long as, in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

## **10.0 EXCLUSION OF ACCESS BY THE PUBLIC TO REPORTS**

10.1 The Monitoring Officer of the Host Authority may exclude access by the public to a report which, in his or her opinion, relates to an item during which, in accordance with this Access to Information Standing Order, the meeting is likely not to be open to the public; or, as the case may be, was not open to the public. Such reports will be marked "Not for publication", together with the category of information likely to be disclosed.

## **11.0 RECORD OF DECISIONS**

11.1 After any formal meeting of the Panel, the Secretariat will produce a record of every decision taken at that meeting as soon as practicable. The record will include a statement of the reasons for each decision and, where appropriate, any alternative options considered and rejected at that meeting.



## **THAMES VALLEY POLICE AND CRIME PANEL ARRANGEMENTS**

Published: 26 April 2012

This document was agreed by a Joint Committee on 19 April 2012 on behalf of the following Authorities:

- Aylesbury Vale District Council
- Bracknell Forest Council
- Buckinghamshire County Council
- Cherwell District Council
- Chiltern District Council
- Milton Keynes Council
- Oxford City Council
- Oxfordshire County Council
- Reading Borough Council
- Royal Borough of Windsor and Maidenhead Council
- Slough Borough Council
- South Bucks District Council
- South Oxfordshire District Council
- Vale of White Horse District Council
- West Berkshire Council
- West Oxfordshire District Council
- Wokingham Borough Council
- Wycombe District Council

As agreed by the Joint Committee, this document will be updated in light of Home Office regulations expected to be published in late Spring 2012.

In this agreement:

- the above Authorities are referred to singularly as ‘Authority’ and together as ‘the Authorities’;
- the “Panel” is the Police and Crime Panel for the Thames Valley Police Force;
- the “Secretariat” is the financial, administrative, scrutiny and other officer support to the Panel;
- the “Host Authority” is the council which hosts the Secretariat at the relevant time;
- the “Act” is the Police Reform and Social Responsibility Act 2011;
- the “Thames Valley Local Authority Chief Executives” are the chief executive officers of the “Authorities”;
- the “Panel Arrangements Document” is this document, as amended from time-to-time; and
- the “Rules of Procedure” are the Rules of Procedure as agreed by the Panel from time to time.

## **1.0 Background**

- 1.1 This Panel Arrangements Document will normally be reviewed every four years (with the next review will take place in April 2016) by all Authorities, alongside a review of the Rules of Procedure. Proposed changes to the Panel Arrangements Document will be referred to the Thames Valley Local Authority Chief Executive Officers (or to other such arrangement as may be agreed by all Authorities) for comment prior to the decision by the Panel.
- 1.2 The Police Reform and Social Responsibility Act 2011 ('the Act') introduces new structural arrangements for national policing, strategic police decision making, neighbourhood policing and police accountability.
- 1.2 The Act provides for the election of a Police and Crime Commissioner ('PCC') for a police area, responsible for securing an efficient and effective police force for their area, producing a Police and Crime Plan, recruiting the Chief Constable for an area, and holding him/her to account, publishing certain information including an annual report, setting the force budget and police precept and requiring the Chief Constable to prepare reports on police matters. The PCC must co-operate with local community safety partners and criminal justice bodies.
- 1.3 The Act requires the Authorities to establish and maintain a Police and Crime Panel ('the Panel'). It is the responsibility of the Authorities for the police area to make arrangements for the Panel ('Panel Arrangements').
- 1.4 The Thames Valley is a multi-authority police area ('the police area') as defined in Schedule 1 of the Police Act 1996. All the Authorities, as the relevant local authorities within the police area must agree to the making and modification of the Panel Arrangements. If the Authorities are not able to agree the Panel Arrangements the Secretary of State is able to establish a Police and Crime Panel for the Police Area.
- 1.5 Each Authority and each Member of the Panel must comply with the Panel Arrangements.
- 1.6 The functions of the Panel—to be known as the "Thames Valley Police and Crime Panel"—are to be exercised with a view to supporting the effective exercise of the functions of the PCC for that police area.
- 1.7 The Panel must have regard to the Policing Protocol issued by the Home Secretary, which sets out the ways in which the Home Secretary, the PCC, the Chief Constable and the Panel should exercise, or refrain from exercising, functions so as to encourage, maintain or improve working relationships (including co-operative working); and limit or prevent the overlapping or conflicting exercise of functions.
- 1.8 The Panel is a scrutiny body with responsibility for scrutinising the PCC and promoting openness in the transaction of police business in the police area.
- 1.9 The Panel is a Joint Committee of the Authorities and as such is subject to the requirements of the Local Government Act 1972 and subsequent legislation

1.10 The Authorities by being parties to this Agreement signify their agreement to the Panel Arrangements.

## 2.0 Terms of Reference and Functions

2.1 The overarching role of the Panel is to scrutinise the work of the PCC in the discharge of the PCC's functions in order to support the effective exercise of those functions.

2.2 To undertake this scrutiny role the Panel will carry out the functions set out in the Act. These functions relate to the scrutiny of the Police and Crime Plan, PCC's Annual Report; confirmation hearings of appointments; issuing of precepts; and the appointment of the Chief Constable. These functions may not be discharged by a sub-committee of the Panel.

2.3 The Panel is a statutory consultee on the development of the **PCC's Police and Crime Plan** and must:

- a) review the draft Police and Crime Plan (or a variation to it); and
- b) report and/or make recommendations on the draft Plan which the PCC must take into account.

2.4 The Panel must comment upon the **Annual Report** of the PCC, and for that purpose will:

- a) question the PCC on the Annual Report at a public meeting;
- b) make a report and/or recommendations on the Annual Report to the PCC.

2.5 The Panel must hold **confirmation hearings in respect of proposed senior appointments** made by the PCC. This includes the posts of the PCC Chief Executive; Chief Finance Officer and Deputy Police and Crime PCC in accordance with the requirements set out in Schedule 1 of the Act. The Panel will review the appointments and make a report and/or recommendations to the PCC.

2.6 The Panel must hold a **confirmation hearing in respect of the appointment of the Chief Constable** by the PCC. The Panel has the right of veto for the appointment of this post in accordance with the Act and regulations.<sup>1</sup>

2.7 The Panel must review the **precept** proposed by the PCC in accordance with the requirements set out in Schedule 5 of the Act, and will have a right of veto in respect of the precept in accordance with the Act and Regulations made thereafter.

2.8 The right of veto will require that at least two-thirds of the persons who are Members of the Panel at the time when the decision is made vote in favour of making that decision.<sup>2</sup>

2.10 The Panel may appoint an Acting PCC if necessary.

2.11 The Panel may suspend the PCC if he/she is charged with an offence carrying a maximum term of imprisonment exceeding two years.

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<sup>1</sup> Subject to Home Office regulations

<sup>2</sup> Ibid.

- 2.12 The Panel will have any other powers and duties set out in the Act or Regulations made in accordance with the Act.
- 2.13 The Panel may carry out in-depth reviews into the work of the PCC. This work may be delegated to a Sub-Committee or Task Group.

### **3.0 Membership**

#### *Elected Members*

- 3.1 The Panel comprises 18 elected members: one from each of the Authorities.
- 3.2 Appointments of elected Members to the Panel shall be made by each of the Authorities in accordance with their own procedures and in making their appointments to the Panel each individual authority shall have regard to the requirement in the Act that appointments shall be made with a view to ensuring that the 'balanced appointment objective' is met so far as is reasonably practicable. It is recognised that each Authority may choose to appoint from within the membership of the majority group.
- 3.3 The balanced appointment objective requires that the Panel should (when taken together), and as far as is reasonably practicable:
- a) represent all parts of the police area;
  - b) represent the political make-up of the Authorities (when taken together);
  - c) have the skills, knowledge and experience necessary for the Panel to discharge its functions effectively.
- 3.4 In the event that an Authority does not appoint a Member in accordance with these requirements, the Secretary of State will appoint a Member from the Authority to the Panel in accordance with the provisions in the Act.

#### *Term of Office*

- 3.5 A member shall be appointed annually to the Panel to hold office for the following municipal year, and all such appointments shall be notified to the Secretariat no later than 31 May in each year, subject to the following proviso that he or she:
- a) shall cease to be a member of the Panel if he or she ceases to be a member of the Authority (and does not on the same day again become a member of the Authority).
- 3.6 Each Authority will give consideration to the 'balanced objective requirement' in its annual appointment process. Where possible, an Authority will give consideration to continuity of membership to enable the Panel's expertise and skills to be developed for the effective scrutiny of the PCC.

#### *Resignation and removal of elected members on the Panel*

- 3.7 An Authority may decide in accordance with its procedures to remove its Member from the Panel at any time and upon doing so shall give written notice to the Secretariat of the change in its Member.

- 3.8 A Member may resign from the Panel at any time by giving notice to the appointing Council who will inform the Secretariat.
- 3.9 In the event that any Member resigns from the Panel, or is removed from the Panel by his or her Authority, the Authority shall immediately take steps to nominate and appoint an alternative Member to the Panel, applying the considerations given in paragraph 3.2-3.3 above.
- 3.10 Where a Panel Member fails to attend meetings of the Panel over a six month period then the Secretariat shall recommend to the relevant Authority that due consideration is given to removing the member from the appointment to the Panel and the appointment of a replacement member from that Authority.

#### *Co-opted Members*

- 3.11 Two independent co-optees shall be appointed by the Panel. This is the maximum number permissible under the legislative requirement for the Panel size to be an overall maximum of 20.
- 3.12 The independent co-optees shall:
- a) be disqualified from being appointed if:-
    - i) he or she has not yet attained the age of eighteen years, or
    - ii) neither his or her principal or only place of work, nor his or her principal or only place of residence, has been in the police area during the whole of the period of twelve months ending with the day of appointment.
  - b) be disqualified from being a member so appointed if, at any time, neither his or her principal or only place of work, nor his or her principal or only place of residence, is within the police area.
- 3.13 The following shall be disqualified from being appointed, and from being a co-opted Member if so appointed:
- a) the PCC for the police area;
  - b) a member of staff of the Police and Crime PCC for the area;
  - c) a member of the civilian staff of the Police Force for the area;
  - d) a Member of Parliament;
  - e) a Member of the National Assembly for Wales;
  - f) a Member of the Scottish Parliament;
  - g) a Member of the European Parliament;
  - h) a member of the uniformed Police Force for the area;
  - i) a member of a principal council within the Thames Valley Police Authority area.

3.14 A co-opted Member shall be a Member of the Panel for four years. The maximum time length that a co-opted member may serve for is two terms.

3.15 The appointments of co-opted Members are undertaken in accordance with the following principles:

- a) The appointment will be made on merit of candidates whose skills, experience and qualities are considered best to ensure the effective functioning of the Panel.
  - b) The selection process must be fair, objective, impartial and consistently applied to all candidates who will be assessed against the same pre-determined criteria.
  - c) The selection process will be conducted transparently with information about the requirements for the appointment and the process being publicly advertised.
  - d) The selection process will endeavour to encourage applications from candidates which reflect the breadth of communities in the Thames Valley and will welcome applications from all eligible people irrespective of gender, ethnic origin, religious belief, sexual orientation, disability, age or other factor.
- 3.16 Costs of the recruitment process shall be met from within the existing budget approved by the Panel as set out in section 5. Costs will be minimised by utilising existing networks and advertising online through the national public appointments website, rather than by paid advertisement in newspapers.
- 3.17 A co-opted Member of the Panel may resign from the Panel by, giving at least three months written notice to the Secretariat. In exceptional circumstances the Panel may agree to a shorter notice period.
- 3.18 The Panel may at any time terminate the appointment of a co-opted Member of the Panel by notice in writing with immediate effect if:
- a) he or she has been convicted of a criminal offence but not disqualified in accordance with 3.21(c); or
  - b) reasonably satisfied that the member is otherwise unable or unfit to discharge his functions as a member; or
- 3.19 In the event that a co-opted member fails to attend the meetings of the Panel over a six month period the Panel shall give due consideration to the termination of the appointment of the co-opted member.
- 3.20 Where, in accordance with Paragraphs 3.17 and 3.18 a co-opted Member resigns from the Panel or is removed from the Panel following a decision of the Panel, the Panel shall ensure that a replacement is sought as soon as possible in accordance with the principles set out in paragraph 3.15.
- 3.21 Subject to the exemptions set out in paragraphs 3.21 and 3.22, a person shall be disqualified from being appointed as or being a member of a Panel if:
- a) a bankruptcy order has been made against him or her or his or her estate has been sequestrated or he or she has made a composition or arrangement with, or granted a trust deed for, his creditors;

- b) he or she is subject to a disqualification order or disqualification undertaking under the Company Directors Disqualification Act 1986, to a disqualification order under Part II of the Companies (Northern Ireland) Order 1989, to a disqualification undertaking accepted under the Company Directors Disqualification (Northern Ireland) Order 2002 or to an order made under section 429(2)(b) of the Insolvency Act 1986(failure to pay under county court administration order); or
- c) he or she has within five years before the date of appointment or since appointment been convicted in the United Kingdom, the Channel Islands or the Isle of Man of an offence, and has had passed on him or her a sentence of imprisonment (whether suspended or not) for a period of not less than three months.

3.22 Where a person is disqualified under paragraph 3.20(a) by reason that a bankruptcy order has been made against him or her or his or her estate has been sequestrated, the disqualification shall cease:

- a) unless the bankruptcy order is previously annulled or the sequestration of his estate is recalled or reduced, on his obtaining a discharge; and
- b) if the bankruptcy order is annulled or the sequestration of his estate is recalled or reduced, on the date of that event.

3.23 Where a person is disqualified under paragraph 3.20(a) by reason of having made a composition or arrangement with, or granted a trust deed for, creditors and pays debts in full, the disqualification shall cease on the date on which the payment is completed, and in any other case it shall cease at the end of the period of five years beginning with the date on which the terms of the deed of composition or arrangement or trust deed are fulfilled.

3.24 For the purposes of paragraph 3.20(c) the date of a conviction shall be taken to be the ordinary date on which the period allowed for making an appeal or application expires or, if an appeal or application is made, the date on which the appeal or application is finally disposed of or abandoned or fails by reason of its non-prosecution.

#### **4.0 Host Authority**

4.1 The Panel shall agree a Host Authority for the Secretariat for the Panel, which shall provide such scrutiny, legal, financial, administrative and other support as is reasonably required to enable the Panel to undertake its functions within the resources agreed by the Panel.

4.2 Buckinghamshire County Council shall act as the initial Host Authority until such time as either:

- a) The Panel resolves at its annual meeting (held in June of each year) that another Authority should carry out this function, provided that such other Authority agrees. In which case, the function will be transferred six months after the Panel decision unless a shorter period

is agreed between Buckinghamshire County Council (or the existing Host Authority) and the new Host Authority; or

- b) Buckinghamshire County Council serves notice that it no longer wishes to be the Host Authority and this function is transferred to another Authority in which case, a six month notice period will apply, unless a shorter period is agreed between Buckinghamshire County Council and the new Host Authority; or
- c) In the event that no Authority comes forward to act as Host Authority the home Council of the current Chairman of the Panel shall be expected to be the Host Authority.

4.3 The staff employed to support the Panel will be employed by the Host Authority. Should the Host Authority change the TUPE legislation which is in force at the time shall apply as necessary.

## **5.0 Budget and Costs of the Panel**

5.1 An annual draft budget for the operation of the Panel shall be drawn up each year by the Host Authority and approved by the Panel. All monies (which are not ring-fenced) provided by the Home Office to support the operation of the Panel shall be taken into account in preparing the Budget.

5.2 For the first year of operation (until April 2013), the Host Authority will provide a level of service to the Panel within the resources granted by the Home Office, excluding some of the on-costs which will be covered by the Host Authority.

5.3 If in subsequent years, the Panel considers that the Budget is insufficient to support the functions of the Panel, the Panel may make a funding request to all Authorities, which request shall be made via the Thames Valley Local Authority Chief Executives.

5.4 Any additional costs arising under paragraph 5.3 shall be borne between the Authorities in equal shares.

## **6.0 Allowances and Expenses**

6.1 Each Authority has the discretion to pay its representatives on the Panel Special Responsibility Allowances, and to reimburse reasonable expenses incurred. No allowance or expenses payments will be made by the Panel itself to elected members. Any allowances or expenses which may be made to elected members arising out of Panel Membership shall be determined and borne by the appointing Authorities for each Panel Member individually.

6.2 The Host Authority, on behalf of the Panel will reimburse reasonable expenses to co-optees provided that this is agreed as part of the annual budget approved by the Panel.



## **7.0 Promotion of the Panel**

7.1 The Panel shall be promoted and supported by the Host Authority and the Secretariat through:

- a) The inclusion of dedicated webpages on the work of the Panel, with the publication of meeting agendas; minutes; and papers where those papers are public, in line with the rules of procedure and legal obligations under the Local Government Act 1972. All reports and recommendations made, with responses from the PCC will be published. Information on member attendance and other publications will be included.
- b) Media and communications support provided by the corporate communications team, this includes the issuing of press release where required.
- c) Clerking support to be provided for all public Panel meetings. This includes sending out agendas; minutes; procedural advice.
- d) Legal advice where required for the Panel to carry out its duties effectively.
- e) Independent policy advice to the Panel through a dedicated scrutiny officer, this includes written and oral briefings to Panel members.

7.2 The costs of the promotion work identified above will be identified as part of the annual budget approved by the Panel. Costs will be met as set out in section 5 above.

7.3 The Panel shall be promoted and supported by each Authority through:

- a) Ensuring that briefings take place for local stakeholders on the work of the Panel. This includes officer briefings to respective members in each authority to support the work of the Panel (executive/non-executive members including Panel member) on a regular basis to ensure that members are fully informed about local relevant matters.
- b) Information on each respective website about the work of the Panel and links to the main web-pages.
- c) Sharing of information on the work of the designated statutory Crime and Disorder Scrutiny Committee in order to ensure that the work programme of the Panel complements local scrutiny work and vice-versa.

## **8.0 Validity of Proceedings**

8.1 The validity of the proceedings of the Panel shall not be affected by a vacancy in the Membership of the Panel or a defect in appointment.

8.2 All Panel members (including co-opted members) must observe the Members Code of Conduct and any related Protocols as agreed by the Panel *[further regulations may follow on this issue]*.

## **9.0 Rules of Procedure**

9.1 The Panel shall determine its Rules of Procedure (in accordance with the statutory requirements and regulations).

9.2 The Rules of Procedure shall include arrangements in relation to:

- a) the appointment, resignation and removal of the Chairman and Vice-Chairman;
- b) the appointment of sub-committees;
- c) the appointment of Task Groups;
- c) the making of decisions;
- e) the circulation of information;
- f) the frequency, timing and place of meetings;
- g) public participation; and
- h) minority reporting.

## Report to the Thames Valley Police & Crime Panel

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**Title:** Report of the Thames Valley Police & Crime Panel Complaint Sub-Committee

**Date:** 17 July 2015

**Author:** Clare Gray, Committee Advisor,  
Thames Valley Police & Crime Panel



### Background

1. The Panel has a statutory duty to handle non-criminal complaints against the Police & Crime Commissioner for Thames Valley.
2. A Sub-Committee of the Panel discharges this duty on its behalf. The Chairman of the Sub-Committee is currently Cllr. Kieron Mallon.
3. It was agreed that the Sub-Committee should submit its report to the Panel on a quarterly basis, when complaints had been considered.

### Complaints Received

4. Two separate complaints were considered at a Sub-Committee meeting on 27 May 2015.
5. Complaint One (received from OPCC on 1 April and concluded on 27 May)

Two allegations have been recorded and referred to the Sub-Committee:-

1. An allegation that the PCC has failed to hold Chief Constable Thornton to account for her direct misfeasance
2. An allegation that the PCC has failed to ensure that Sara Thornton held her subordinates to account

The Police and Crime Panel does have powers to disapply the requirements of the Elected Local Policing Bodies (Complaints and Misconduct) Regulations 2012 under Regulation 15, if it agrees that the complaint is an abuse of the complaints process. Under Regulation 15 (f) the Panel may handle the complaint in whatever manner the Panel thinks fit if the complaint is repetitious. A complaint is repetitious if it is substantially the same as a previous complaint. The Sub-Committee considered that this complaint was repetitious and therefore considered the matter closed.

#### Performance Information

One recommendation arising out of the Sub-Committee was to develop a flowchart so that the complaint handling process was clear to complainants and also to indicate the point at which the Panel could take no further action.

#### 6. Complaint Two (date received from OPCC on 28 April and date concluded 27 May)

That the Police and Crime Commissioner had made inappropriate comments.

The Sub-Committee did not uphold the complaint, drawing the following conclusion that as an elected representative, the Police & Crime Commissioner has a right to hold and express points of view on current issues and it is not within the remit of the Sub-Committee to question these views; the electorate can form an opinion on these points of view at the next PCC election.

#### 7. There is one further complaint which is pending for Sub-Committee consideration.

#### Membership and Dates of Meetings

8. As there are a number of new Members on the Panel, it would be helpful for Members to put their name forward for the Complaint Handling Sub-Committee so that there is a pool of Members to call upon. It would also be helpful to have fixed dates in the diary to hold the Sub-Committee throughout the year.

#### Possible changes to the Complaints Process

8. The Government have produced a summary of consultation responses regarding reforming the police complaints and disciplinary systems (March 2015). The document refers to PCC's taking on a greater role in the complaints system. The link to the document is below and further information will be reported to the Panel once it is available.

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/411970/improving\\_police\\_integrity\\_reforming\\_the\\_police\\_complaints\\_and\\_disciplinary\\_systems.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/411970/improving_police_integrity_reforming_the_police_complaints_and_disciplinary_systems.pdf)

#### Recommendation

**1. It is recommended that the Thames Valley Police & Crime Panel note the report of the Complaint Sub-Committee**

**2. That nominations be put forward for Membership of the Complaints Handling Sub-Committee.**

## APPENDIX A

### **Thames Valley Police & Crime Panel Procedure for Handling Non-Criminal Complaints against the PCC**

- When the decision has been made to record a complaint that will not subsequently be referred to the Independent Police Complaints Commission (the IPCC), the Chief Executive of the Office of the PCC will:
  - refer the record, and copies of all the associated paperwork, to the Panel's scrutiny officer. This will be no later than two working days after the complaint has been recorded.
- On receipt of the complaint, the Panel's scrutiny officer will:
  - convene a meeting of the Complaints Sub-Committee, normally to be held within three weeks of the referral of the complaint,
  - write to the complainant, setting out timescales and providing details about the informal resolution procedure; and giving the complainant an opportunity to make further comments in support of his/her complaint (allowing him/her two weeks to respond).
- Where the Panel's scrutiny officer believes that the circumstances of the case are such that the Complaints Sub-Committee may decide to treat the complaint as having been resolved, he/she will ask the complainant to provide his/her representations in this regard for the Complaints Sub-Committee to take into account; and
  - write to the person complained about, setting out timescales and providing details about the informal resolution procedure; and giving him/her an opportunity to make comments in response to the complaint (allowing him/her two weeks to respond).
- The Panel's scrutiny officer will compile a brief report for the Complaints Sub-Committee, setting out the pertinent details of complaint, recording any failure by the person complained about to comment on the complaint and making suggestions for the next steps.
- The Complaints Sub-Committee will first consider whether the complaint has been satisfactorily dealt with and, subject to any representations by the complainant, may decide to treat the complaint as having been resolved. In such a case, the Complaints Sub-Committee's reasons will be recorded and notified to the parties.
- If, on considering the report, the Complaints Sub-Committee feels that the matter needs to be formally resolved, it will decide its course of action. In accordance with regulations, the Complaints Sub-Committee may not conduct an investigation. The Complaints Sub-Committee may exercise its delegated powers to require the person complained against to provide information or documents or attend before it to answer questions or give evidence, as this will not be regarded as an investigation. However, any other step intended to gather information about the complaint, other than inviting the comments of the complainant and the person complained against, will be likely to amount to investigation.
- The Complaints Sub-Committee will consider whether to devise an action plan (to be drawn up by the Panel's scrutiny officer) and in so doing will take into account any applicable guidance issued by the Secretary of State and may also consider any guidance issued by the IPCC

pursuant to section 22 of the Police Reform Act 2002 on local resolution. Any such action plan will include an indicative timeframe.

- Any such action plan may include (for example):
  - An explanatory letter being written by an officer of the Panel (or on behalf of the Complaints Sub-Committee),
  - An explanatory letter being written by an officer of the OPCC,
  - A suggested change to OPCC policy; or
  - A request that an apology is tendered (no apology may be tendered on behalf of the person complained against unless that person has admitted the alleged conduct and agreed to the apology).
- The Complaints Sub-Committee will also decide whether it wishes to:
  - reconvene to take any steps identified in the action plan,
  - authorise any named individual (who may not be a PCC, a DPCC or the Chief Executive of the Office of the PCC) to take any steps in accordance with the action plan; or
  - refer the matter to the Panel recommending that the identified action be taken.
- Once the actions from the plan have been completed, the matter may be referred back to the Complaints Sub-Committee or an authorised individual may determine that the matter has been resolved. The Panel's scrutiny officer must make a record of the outcome of the informal resolution as soon as practicable, normally within three working days, after the process is completed and provide copies to the complainant and the person complained against. The matter will then be closed.
- No part of the record may be published by the Complaints Sub-Committee unless, having given the parties an opportunity to make representations about the proposed publication and having considered any such representations, the Complaints Sub-Committee considers that publication is in the public interest.
- The Panel's scrutiny officer will prepare update reports to the Panel about all complaints considered in the preceding quarter by the Complaints Sub-Committee, the action taken (including any obligations to act, or refrain from acting, that have arisen under the regulations, but have not yet been complied with or have been contravened) and the outcome of the process.
- If, at any stage, the IPCC informs the Panel that they require the complaint to be referred to them, or if the Complaints Sub-Committee decides that the complaint should be referred to the IPCC, the informal resolution process must be discontinued. The Complaints Sub-Committee should only decide that the complaint should be so referred if matters come to light during the informal resolution process which indicate the commission of a criminal offence, thus leading to the earlier decision as to whether or not the complaint was a serious complaint being reversed.
- At any stage, the Panel's scrutiny officer may seek legal advice from the Panel's legal adviser.

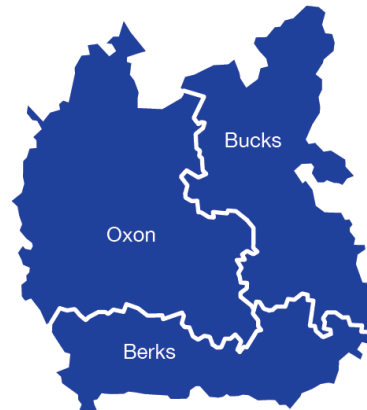
## Report to the Thames Valley Police & Crime Panel

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**Title:** Report of the Thames Valley Police & Crime Panel Budget Task & Finish Group

**Date:** 17 July 2015

**Author:** Clare Gray, Committee Adviser, Thames Valley Police & Crime Panel




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### Background

1. As in previous years, the Thames Valley Police & Crime Panel should form a Budget Task & Finish Group to assist in discharging its statutory duty to scrutinise the Police & Crime Commissioner (PCC) for Thames Valley's proposed council tax precept for 2016/17. The process will be formally undertaken at the January 2016 meeting of the Panel where a decision will be made by the Panel on whether to accept or veto the PCC's proposed precept.
2. To strengthen the process, it was considered by Panel members to be important to evaluate the budget that the precept partially funds, allowing the Panel to make an informed decision on the adequacy of the precept. This work is therefore undertaken by the Budget Task & Finish Group.
3. The Panel has always received excellent support from the Finance Officers of the Office of the Police and Crime Commissioner and Thames Valley Police thus enabling Members to understand the budget process.
4. Because of future financial pressures Members may wish to consider how many times and when the Task and Finish Group should meet. We are aware that a number of Police and Crime Panels have Budget Task and Finish Groups that meet at regular intervals throughout the year specifically to monitor financial performance against the budget with the result that Members have a more in-depth knowledge to assist them with pressures on next year's precept.

### RECOMMENDATION

**That nominations be put forward for Membership of the Budget Task and Finish Group.**





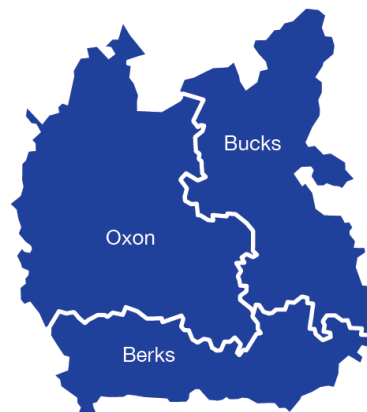
## Report to the Thames Valley Police & Crime Panel

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**Title:** Report of the Thames Valley Police & Crime Panel General Issues

**Date:** 17<sup>th</sup> July 2015

**Author:** Clare Gray , Committee Advisor,  
Thames Valley Police & Crime  
Panel



The following general issues are reported:-

### **Female Genital Mutilation**

Female Genital Mutilation (FGM) is a serious form of child abuse and violence against women and girls, and a violation of human rights. It has been illegal in this country since 1985 and councils have a statutory duty to safeguard children and protect and promote the welfare of all women and girls.

FGM is defined by the World Health Organisation as “all procedures that involve partial or total removal of the external female genitalia, or other injury to the female genital organs for non-medical reasons”. It can leave women and girls traumatised as well as in severe pain, cause difficulties in child birth, and in some rare cases it can lead to death.

There is no cultural or religious justification for FGM. Current prevalence studies estimate that as many as 60,000 women and girls in the UK could be at risk of FGM, and over 125,000 may already be living with the consequences (Equality Now and City University, July 2014).

Councils need to feature in a significant way in the debates about what needs to be done to reduce instances of FGM. Local authorities have a clear and important role to play. They are the lead agency when it comes to safeguarding children and protecting them from harm. They provide or commission services that FGM survivors need. They can engage with communities where FGM has traditionally been practised and work with them to challenge views.

At the Police and Crime Panel on 19 September 2014 the following resolution was agreed:-

1. That the Chairman, on behalf of the Police and Crime Panel, writes to all the Chairmen of Health and Wellbeing Boards in the Thames Valley, or other appropriate bodies, asking them to have a regular overview item on their agendas including activities focused on preventing and combatting Female Genital Mutilation in their localities, and for them to submit a written update to a future meeting of this Panel.
2. That the Chairman, on behalf of the Police and Crime Panel, writes to all Chairmen of Health Scrutiny Committees in the Thames Valley asking them to write to the Clinical Commissioning Groups and Hospital Trusts in their localities, so that they may provide a regular overview item

at their Health Scrutiny Committees of measures taken to identify cases of Female Genital Mutilation.

3. That the Police and Crime Commissioner provides information to the Police and Crime Panel on the progress of the White Paper on violence against women and girls, with information on the Climbie case, so that Members could then write to and lobby their MPs asking them to specifically address the issue of Female Genital Mutilation within the White Paper
4. That the Task and Finish Group, which is looking at how to support the work of the Police and Crime Commissioner, should look at Female Genital Mutilation as a priority and bring back a monitoring report to the Panel on the responses from the recommendations above.
5. That Members of the Panel be urged to put a motion to their Council on Female Genital Mutilation to raise awareness and to ask what actions could be taken in their locality to address this issue.

<https://democracy.buckscc.gov.uk/ieListDocuments.aspx?CId=751&MID=6091#A130792>

(Minutes)

[http://www.local.gov.uk/documents/10180/5854661/L14-567+FGM+guidance+for+councillors\\_09.pdf/7196465e-4b63-4b58-b527-a462f5b5cc9d](http://www.local.gov.uk/documents/10180/5854661/L14-567+FGM+guidance+for+councillors_09.pdf/7196465e-4b63-4b58-b527-a462f5b5cc9d)

(Councillors guide to Female Genital Mutilation)

**Members are asked to report back on what actions their Authorities are taking on Female Genital Mutilation. In terms of recommendation 4 above the Partnership Task and Finish Group could be asked to undertake a specific case study into FGM.**

### **Tone from the Top – Leadership, ethics and accountability in policing**

The Committee on Standards in Public Life have published the above report in June 2015 and was received by the Host Authority at the beginning of July 2015.

Summary Extract from National Report

Following a study of leadership and accountability of local policing there is impetus in many areas such as :-

- Greater innovation
- Increased visibility
- Greater focus on community engagement
- Victim Support

However there is also clear evidence of significant standards risks including continuing confusion over roles and responsibilities, insufficient challenge and scrutiny of PCC's decisions. The recommendations in full that refer to the Police and Crime Panel specifically cover the following areas:-

- state that as a matter of good practice PCC's should publish a forward plan of decisions identifying the subject matter of the decision, why it is key, the meeting at which the decision is due to be taken, who will be consulted before the decision is taken and what reports/papers will be available for inspection.

- that Panels should produce a forward plan of work specifying as appropriate the information required from PCCs in order for them to carry out their work.
- another area of good practice is for PCC's and their Deputies to publish a register of meetings with external stakeholders and routinely publish information about all significant meetings involving external attempts to influence a public policy decision.
- The PCC and Chief Constable are required under the Code of Practice to establish an independent Audit Committee and Joint Audit Committees have been established. Joint Audit Committees have a role to play in providing independent advice, governance assurance and supporting the Chief Constable and their PCC and their officers in making effective decisions and in enhancing public trust and confidence in the governance of the Office of the PCC and the police force. There is a recommendation that a Joint Audit Committee Annual Report is published in a form that is easily accessible to the public.
- That Panel's inquire and report into the circumstances whenever a Chief Constable's Service is brought to an end irrespective of whether the Schedule 8 scrutiny process is formally engaged.
- All parties with responsibility for complaints should made clear and actively publicise where their responsibilities begin and end.
- The Home Secretary has been asked to undertake an urgent review of whether there are sufficient powers available to take action against a PCC whose conduct falls below the standards of behaviour that the public expects of a holder in public office. The report states that there are benefits for PCCs in active engagement with Police and Crime Panels as a source of local knowledge, political support and leverage.

All recommendations can be viewed via the following link:-

<https://www.gov.uk/government/publications/tone-from-the-top-leadership-ethics-and-accountability-in-policing>

The report also refers to other areas as follows:-

- concern has been expressed about public awareness of PCC's and Police and Crime Panels.
- The role of the Panel in scrutinising both the ethical standards of the PCC and the PCC's role in holding the Chief Constable to account for embedding the Code of Ethics.
- Page 41 refers to Thames Valley research on the Code of Ethics.
- The National Audit Office found that some Panels were not able to get information they needed to hold the PCC to account, such as drafts of key documents like Police and Crime Plans or detailed information on force performance.
- There is also reference to Membership and turnover, limited resources and training for Members.

### **Action**

**This information provides a very short summary of a detailed national report which is key to the successful operation of the Panel. It would be useful to undertake a detailed analysis of this document and compare this with the current arrangements of the PCC and the Panel to look at ways in which further good practice could be implemented to promote high ethical standards, good leadership and accountability in policing.**

### **National Police and Crime Panel Conference**

The Conference received the following presentations:-

- HMIC perspective on the challenges ahead for the Police Service
- Police: the road to 2020
- A national perspective on the PCP innovation and proactive responses to challenges

The following workshops were held on key issues currently impacting on PCP's:-

- How will the police service adapt to the road to 2020? (led by Grant Thornton)
- Effective governance in the Police Sector (Grant Thornton)
- Child Sexual Exploitation (Trevor Egleton)
- Strategic Alliances between Forces (Worcestershire County Council)
- PCCs and Partnership Working (Leicestershire)
- PCC's Estates Strategies (Bedfordshire)
- Blue Light Services Collaboration (Suffolk County Council)

Information on the Conference can be found via the following link:-

<http://www.pcps-direct.net>

In terms of any changes following the election and Queen's Speech the main areas relate to the report mentioned above by the Committee on Standards in Public Life, the introduction of elected metro mayors taking on the powers of the PCC, increasingly devolved budgets and powers and also the Blue Light Services Collaboration.

### **Victims Commissioning**

A conference on Victims Commissioning would be held by the OPCC on 13 July 2015.

The following reports will be sent out shortly from the OPCC:-

- Legislation on legal highs
- Review of neighbourhood policing
- Update on the progress of Multi agency Safeguarding Hubs

Thames Valley Police & Crime Panel Work Programme 2015

Date	Main Agenda Focus	Other agenda items
27/03/15	Themed item: (Wokingham) <b>Preventing Child Sexual Exploitation</b>  <u>Confirmation Hearing</u> <b>Chief Constable</b>	<ul style="list-style-type: none"> <li>• Public Question Time</li> <li>• Serious Case Review</li> <li>• General Issues</li> <li>• Work Programme</li> </ul>
17/07/15	Annual Meeting – am  Induction pm including update on financial pressures for new and existing Members	Keynote Speakers and Panel debate  <ul style="list-style-type: none"> <li>• Public question time</li> <li>• Election of Chairman</li> <li>• Appointment of Vice Chairman</li> <li>• PCP Annual Report</li> <li>• Annual review of Rules of Procedure and PCP Budget</li> <li>• General issues (implications of General Election results/report back on fgm)</li> <li>• Work Programme</li> </ul>
25/09/15	Themed Item (Cherwell?) <b>Victim Support and Restorative Justice One Year On</b>	<ul style="list-style-type: none"> <li>• Public question time</li> <li>• PCC Annual Report</li> <li>• Complaints, Integrity and Ethics Panel Update</li> <li>• General Issues</li> <li>• Work Programme</li> </ul>

Date	Main Agenda Focus	Other agenda items
27/11/15	<u>Themed Item (Wokingham)</u> <b>Cyber Crime ?</b>	<ul style="list-style-type: none"> <li>• Public Question Time</li> <li>• Set up Budget Task and Finish Group/CSP Update</li> <li>• General Issues</li> <li>• Work Programme</li> </ul>
1/16		<ul style="list-style-type: none"> <li>• Public questions</li> <li>• PCC precept 2016/17</li> <li>• General Issues</li> <li>• Work Programme</li> </ul>