

# Public Document Pack

## NORTH LINCOLNSHIRE COUNCIL

<b>HUMBERSIDE POLICE AND CRIME PANEL</b>
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**24 November 2020**

**Chairman:** Councillor Evison

**Venue:** Virtual Meeting  
Microsoft Teams

**Time:** 10.00 am

**E-Mail Address:**  
matthew.nundy@northlincs.gov.uk

### AGENDA

1. Welcome and Introductions
2. Apologies for absence
3. Substitutions
4. Declarations of Disclosable Pecuniary Interests and Personal or Personal and Prejudicial interests (such declarations are to be made in accordance with the members' respective council's Code of Conduct)
5. To take the minutes of the meeting of the panel held on 6 October 2020 as a correct record and authorise the chairman to sign (Pages 1 - 4)
6. Humberside Police and Crime Commissioner – Update
7. How the Police and Crime Commissioner holds the Chief Constable to account (Pages 5 - 14)
8. Office of the Police and Crime Commissioner Substance Misuse Commissioning (Pages 15 - 20)
9. Humberside Police - Finance Update (Pages 21 - 22)
10. Complaints Report (Pages 23 - 24)
11. Date and time of next meeting
12. Any other items that the Chairman decides are urgent by reason of special circumstances that must be specified

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## HUMBERSIDE POLICE AND CRIME PANEL

6 October 2020

### PRESENT:

East Riding of Yorkshire Council	Councillor Jacob Birch Councillor Paul Nickerson Councillor Ben Weeks
Hull City Council	Councillor Haroldo Herrera-Richmond MA Councillor Linda Tock
North East Lincolnshire Council	Councillor Gaynor Rogers
North Lincolnshire Council	Councillor Jonathan Evison Councillor Richard Hannigan
Independent Co-opted Member	Mrs Hazel Chase Mrs Susan Whittaker

This was a virtual meeting held on Microsoft Teams.

- 335 **WELCOME AND INTRODUCTIONS** – The Chairman welcomed everyone to the virtual meeting of the Police and Crime Panel and invited all in attendance to introduce themselves and identify the local authority they were representing.
- 336 **APOLOGIES FOR ABSENCE – Resolved** - That it be noted that apologies for absence had been received from Councillor Chaytor (Hull City Council) and Councillor Silvester (North East Lincolnshire Council).
- 337 **DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS AND PERSONAL OR PERSONAL AND PREJUDICIAL INTERESTS** – There were no declarations of disclosable pecuniary interests and personal or personal and prejudicial interests.
- 338 **MINUTES - Resolved** - That the minutes of the proceedings of the panel held on 7 July 2020, having been printed and circulated amongst the members, be taken as read and correctly recorded and signed by the chairman.
- 339 **HUMBERSIDE POLICE AND CRIME COMMISSIONER UPDATE** – The Police and Crime Commissioner (PCC) for Humberside provided a comprehensive update on the following areas –
- Concern as the Chair of the Local Criminal Justice Board and the backlog of cases in the court system.
  - As part of the PCC National Portfolio, the development of national outcomes for Policing.

**HUMBERSIDE POLICE AND CRIME PANEL**  
**6 October 2020**

- Inspection regime of Humberside Police by Her Majesty's Inspectorate of Constabulary, Fire and Rescue Service.
- Invitation to speak at the Excellence of Policing Conference and the Local Government Association.
- Home Office review of Police and Crime Commissioners.
- Recruitment of 97 Police Officers as a result of additional Government funding.
- Humberside Police recruitment and retention passing 2000 Police Officers.
- Positive action to address the diversity of Humberside Police.
- Continued impact of Covid-19 on Humberside Police.

Following the Police and Crime Commissioners comprehensive verbal update, the Chairman facilitated a discuss between the Panel and the PCC.

**Resolved** – That the verbal update be received with thanks.

- 340 **OFFICE OF THE POLICE AND CRIME COMMISSIONER FOR HUMBERSIDE ANNUAL REPORT 2019-20** - The Chairman welcomed the Police and Crime Commissioner for Humberside and the Chief Executive Officer at the Office of the Police and Crime Commissioner for Humberside to the meeting. Mr Hunter introduced his recently published Annual Report for 2019-20, which was the fourth such publication in his tenure as Police and Crime Commissioner (PCC).

The report provided an update on what the PCC and the Office of the Police and Crime Commissioner (OPCC) for Humberside had achieved against the 2019-20 Delivery Plan.

The Chief Executive at the OPCC guided Panel Members through the document, highlighting its offices many key achievements. Of particular note was that there were no 'red' performance measures, with the few 'amber' performance measures being as a result of the effect of the pandemic.

To conclude, the Chief Executive publically thanked colleagues from the OPCC for their achievements and progress made during 2019-20.

Following the verbal presentation, the Chairman facilitated a discussion between the Panel Members and the PCC and Chief Executive Officer at the OPCC.

**Resolved** – (a) That the Annual Report for 2019-20 be noted and received with thanks, and (b) that the Police and Crime Commissioner and Chief Executive Officer at the Office of the Police and Crime Commissioner for Humberside be thanked for their verbal presentation and for answering Panel members' questions.

- 341 **GENERAL UPDATE FROM THE OFFICE OF THE POLICE AND CRIME COMMISSIONER AND FORCE PROGRESS** – The Chief Executive Officer submitted a report that updated on the following -

**HUMBERSIDE POLICE AND CRIME PANEL**  
**6 October 2020**

- Office of the Police and Crime Commissioner and adapting to Covid.
- Domestic Abuse campaign
- Assurance of the Force and holding to account
- Funding secured to support third sector victim services
- Not In Our Community initiative
- Force update –
  - Systems
  - ‘plan on a page’
  - Domestic Abuse / Modern Slavery Investigation teams
  - Information compliance performance

Following the comprehensive verbal update, the Chairman facilitated a discussion between the Panel and the Chief Executive Officer.

**Resolved** – That the general update from the Chief Executive Officer at the Office of the Police and Crime Commissioner for Humberside be noted and received with thanks.

342 **ASSURANCE OF THE OFFICE OF THE POLICE AND CRIME COMMISSIONER SECTION 151 OFFICER CAPACITY THROUGH SECONDMENT ARRANGEMENTS** – The Chief Executive Officer at the Office of the Police and Crime Commissioner circulated a report on the recommendation made by the Panel at its Confirmation Hearing for the appointment of the Police and Crime Commissioner Chief Finance Officer.

The Panel was informed that at the Confirmation Hearing held on 28 November 2019, the panel unanimously agreed on the appointment of the Chief Finance Officer, with the following recommendation;

“That the Chief Finance Officer secondment arrangement be reviewed in nine months time. This was to allow a review to be undertaken to determine whether a post consisting of 0.4 fte (2 days a week) provided enough capacity to fulfil the requirements of the Chief Finance Officer position”.

As a result of the recommendation, the Chief Finance Officer at Humberside Fire and Rescue Service and the Chief Executive Officer at the Office of the Police and Crime Commissioner had discussed the arrangement, as well as seeking the views of the postholder.

It had been unanimously agreed that the arrangement had been extremely successful due to the undoubted synergies from working across the two organisations as well as financial savings.

**Resolved** – That the appointment of the Chief Finance Officer at the Office of the Police and Crime Commissioner for Humberside provided a sufficient level of assurance on the adequacy of the working arrangements of the postholder to fulfil the role.

**HUMBERSIDE POLICE AND CRIME PANEL**  
**6 October 2020**

- 343 **HUMBERSIDE POLICE – FINANCE UPDATE** - The Chairman invited the Police and Crime Commissioner and Chief Finance Officer at the Office of the Police and Crime Commissioner to update the Panel on the Force budget. Mr Hunter and Mr Wilson gave a comprehensive verbal presentation on the Force budget.

The Chairman then facilitated a discussion between the Panel Members and Mr Hunter and Mr Wilson.

**Resolved** – That the Humberside Police – Budget Update be received with thanks.

- 344 **HUMBERSIDE POLICE – END OF YEAR ASSESSMENT 2019-20** – The Panel considered the Humberside Police end of year assessment for 2019-20. The document summarised the key achievements of the Force on the following areas –

- Corporate governance and performance
- Financial management
- People management
- Performance and demand summary
- Future plans

The Chairman invited the Police and Crime Commissioner to comment on the end of year assessment, before inviting comments from members of the Panel.

**Resolved** – That the Humberside Police – End of year Assessment 2019-20 be noted.

- 345 **HUMBERSIDE POLICE AND CRIME PANEL – ANNUAL REPORT 2019-20** – The Chairman introduced the Panel’s inaugural annual report for the Municipal Year 2019-20. The report summarised the work of the Panel, including its activities and achievements in 2019-20.

**Resolved** – That the Humberside Police and Crime Panel Annual Report for 2019-20 be approved.

## HUMBERSIDE POLICE AND CRIME PANEL

<b>DATE</b>	24 November 2020
<b>REPORT OF</b>	Head of Assurance and Statutory Duties, Office of the Police and Crime Commissioner (OPCC)
<b>SUBJECT</b>	How the PCC holds the Chief Constable to account
<b>STATUS</b>	Open

### 1. EXECUTIVE SUMMARY

- 1.1 The role of Police and Crime Commissioner (PCC) was created in the Police Reform and Social Responsibility Act 2011. The PCC is elected by and accountable to the public. Their role is to be the voice of the people in policing and to hold the Chief Constable to account.
- 1.2 The Chief Constable is responsible for operational policing matters, direction and control of police personnel, and for putting in place proper arrangements for governance of the Force. The PCC is required to hold the Chief Constable to account for exercise of those functions and those of persons under their direction and control. It follows that the PCC must be assured the Chief Constable has appropriate mechanisms in place for maintenance of good governance, and that these operate in practice. The relationship between the PCC, Chief Constable, Police and Crime Panel and Home Secretary is guided by the Policing Protocol Order 2011, which states the PCC has a legal power and duty to scrutinise, support and challenge overall performance of the Force including against priorities agreed within the Police and Crime Plan.
- 1.3 It is important to understand how our governance and assurance arrangements function and link together. The PCC holds the Chief Constable to account in a number of formal and informal ways through systems and processes comprising the PCC's current governance and assurance arrangements:
  - Police and Crime Plan 2017-2021.
  - Delivery Plan 2020-2021.
  - PCC Accountability Board.
  - Assurance Arrangements.
- 1.4 Assurance arrangements include daily informal interaction, joint PCC/Chief Executive/Chief Officer briefings, assurance conversations, Joint Independent Audit Committee (JIAC), proposed Independent Ethics and Scrutiny Board (discussed later), and complementary work through our independent scrutiny (and proposed changes to strengthen this further). All these (with the exception of recent scrutiny proposals) have been previously outlined to the Panel in the Annual Delivery Plans for 2018-19 and 2019-20. The Panel is also a key part of these arrangements, scrutinising the work of the PCC and acting as critical friend through independent challenge.

- 1.5 The Guidance on Holding Humberside Police to Account was originally published in February 2019. This is included at Appendix A, albeit now updated to reflect recent independent scrutiny changes in particular (the latest version will also be updated on our website in the coming weeks).

## **2. RECOMMENDATIONS**

- 2.1 It is recommended that the Police and Crime Panel: (a) discuss and note the report and receive a further update as the new scrutiny approach progresses, and (b) help to promote our approach to the public.

## **3. BACKGROUND**

- 3.1 It is worthwhile outlining some history leading to our current arrangements.

### **Governance Changes**

- 3.2 In February 2019, we carried out structural changes in the office, making it opportune to consider the existing Corporate Governance Group and develop it to provide greater clarity, better timing, more transparency and a 'business like' approach.

- 3.3 The key changes at that time included:

- Existing Corporate Governance Group became the Accountability Board, refocused on holding the Chief Constable to account.
- More action-based approach to the meetings (all actions are now published on our website for the public to view).
- More 'public friendly' Annual Governance Statement (AGS).
- Recent significant changes to our Code of Corporate Governance (making it more usable).
- Development of regular Assurance Conversations with chief and senior officers.

- 3.4 All these changes have been outlined to the Panel through the Annual Delivery Plans in both 2018-19 and 2019-20. These were key internal changes focused on delivery, inspections/audits/reviews, people, finance, collaboration/partnerships, risks and current/significant issues.

### **Scrutiny Changes**

- 3.5 In the current Delivery Plan 2020-21, one aim was to carry out a review of independent scrutiny arrangements by the public. This review commenced in July 2020 and recently reported back to the PCC and Accountability Board. It is worth outlining some of the changes being made and the key reasons for independent scrutiny. The review considered practices in other OPCCs; these varied considerably, as did reporting and the issues scrutinised. The review aims to strengthen independent scrutiny and we hope the Panel will support us in improving community involvement.

- 3.6 The review of independent scrutiny will:

- Create an approach that not just gathers evidence on issues affecting local policing, but make it easier to make recommendations to the PCC based on findings.
- Involve the right people at the right time and for the right reasons.

- Bring our scrutiny and assurance together to ensure the PCC gains maximum benefit and that scrutiny of the Force is undertaken accordingly.
- Look at our monitoring and reporting of information from various scrutiny groups to ensure the right information is collected, correct level of challenge undertaken, and ultimately the right level of assurance is provided to the PCC.
- Fill gaps in our scrutiny as identified by the PCC, including the need to focus more on hate crime issues for example.

3.7 It was also timely given recent changes to the Force Independent Advisory Group (IAG) approach, ensuring our scrutiny actively complimented changes being made by the Force.

3.8 Recent national issues serve as a reminder to ensure adequate monitoring, scrutiny and challenge around Use of Force and Stop and Search statistics in particular. The last Her Majesty's Inspectorate of Constabulary and Fire and Rescue Service (HMICFRS) inspection raised preference for an independent chair. Chairing has to date been undertaken by the OPCC Head of Assurance and Statutory Duties.

3.9 The review was also an opportunity to consider how we could improve our view and understanding of ethical issues, so we considered the current Joint Ethics Panel. Ethical issues should be part of the driver for our scrutiny focus.

3.10 In recent years the focus of our Diversity Panel has changed, including development of two sub-groups – (i) **Use of Force Scrutiny Panel** (2017) and (ii) **Stop and Search Scrutiny Panel** (2018). Before then, independent scrutiny meetings were more ad hoc. The OPCC also undertakes a range of scrutiny, which has evolved over a period of time. This includes:

**Gold-standard Independent Custody Visitor Scheme (ICVS):** volunteers are recruited for their skills to make unannounced inspections across two custody suites. In recent years, we successfully recruited new volunteers from a diverse age group, as well as skills from areas such as social care, bringing a new perspective. During the pandemic, we found other ways of working, including checks via telephone into the custody facilities (speaking to detainees where they wish to do so), and checking a sample of custody records to ensure consistency of approach.

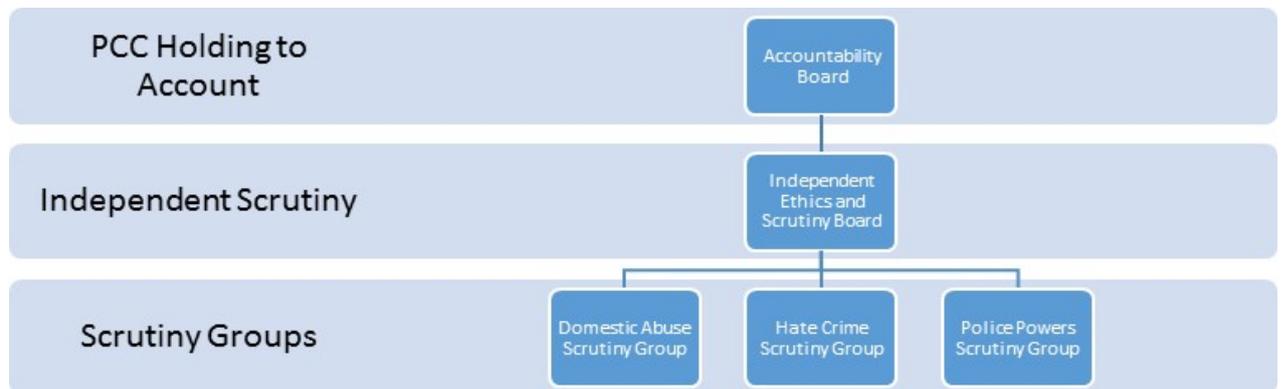
**Independent Domestic Abuse Scrutiny Panel (IDASP):** working with other organisations to review and improve investigation of domestic abuse and support/safeguarding of domestic abuse victims. The Panel was formed in September 2018, meets quarterly and includes Independent Domestic Violence Advocate (IDVA) services, Local Authority Domestic Abuse service managers, National Probation Service and academics specialising in domestic abuse. This is on hold due to Covid-19, but plans are in place to re-establish as soon as practicable.

3.11 The review identified clear benefits in involving more volunteers in our scrutiny. This current range of activity allows the PCC to hold the Force to account more effectively. Through all of this scrutiny work, the one noticeable thing was that our own transparency around reporting to the PCC and scrutiny of issues could be improved further.

## **CHANGING APPROACH**

3.12 The guidance at Appendix A outlines how the PCC holds the Chief Constable to account.

- 3.13 As well as holding the Chief Constable to account, the PCC must demonstrate that the decisions they make, and the way they make them are good. The work of the PCC and their decisions are formally scrutinised publicly by the Humberside Police and Crime Panel.
- 3.14 The revised scrutiny approach advocates a new Independent Ethics and Scrutiny Board to act as overall 'home' for all OPCC scrutiny activities. This includes independent Scrutiny Groups, made up in most cases of volunteers who represent the issues being scrutinised. The findings from all of these groups and their reports will be considered by the Independent Ethics and Scrutiny Board and provide a central focus for the OPCC. The Independent Ethics and Scrutiny Board will be chaired by an Independent Chair (remunerated and to be appointed to). Membership of the Board will ensure that action can be taken at the right level and in a timely manner.
- 3.15 The Board will have a core membership that will generally stay the same, but also able to invite individuals with specialist knowledge, skills or experiences as required. The Board also debate and develop well informed answers to thematic 'public interest' questions about key areas scrutinised and ethical issues raised.
- 3.16 The following diagram outlines the structure:



- 3.17 The PCC is able to challenge progress on the outcomes of any scrutiny (i.e. how recommendations are being delivered or not) and require appropriate evidence of improvement. This will be undertaken by the Chair of the Independent Ethics and Scrutiny Board providing specialist and independent scrutiny findings and recommendations directly to the PCC. The PCC will ensure that the outcomes of scrutiny (and how it makes a difference) are communicated effectively.
- 3.18 Because scrutiny involves reviewing a wide range of evidence, it can be an effective tool for helping to inform policy, particularly through:
- Generating new ideas and ways of doing things.
  - Challenging assumptions about existing ways of working.
  - Engaging members of the public.
- 3.19 Scrutiny of many different areas also helps the PCC to have a complete 'overview' of policing (the 'totality' of policing) and ethical issues, enabling them to do a number of things such as identify strategic opportunities to do things differently, to learn and to progress.

## **OTHER ISSUES OF NOTE**

- 3.20 At present, we are working with the Force Community Safety Unit to determine a Mystery Shopper approach utilising the Force Volunteer Scheme. The aim will be to create a suitable resource with the ability to feed in results to the PCC's scrutiny approach where appropriate.
- 3.21 There is a need to consider further areas of scrutiny in future. Some other PCCs focus on complaints and call handling for example. At this time, given the resources and recent investment into the complaint review process, our focus is around the key issue of vulnerability - hate crime, use of police powers and vulnerable people in custody.

**GUIDANCE: HOLDING THE CHIEF CONSTABLE TO ACCOUNT**

The Policing Protocol Order 2011 outlines the statutory duty and electoral mandate of the PCC to hold the Chief Constable to account on behalf of the public.

Elected by the public, the PCC holds the Chief Constable to account, making sure they deliver against the Police and Crime Plan and effectively making the police answerable to the communities it serves.

The PCC fulfils this duty in a number of ways, including regular assurance conversations and through one-to-one briefings.

The Office of the Police and Crime Commissioner (OPCC) hosts a Joint Independent Audit Committee (JIAC), Accountability Board, Independent Ethics and Scrutiny Board, and a number of scrutiny groups including: (i) Police Powers Scrutiny Group, (ii) Hate Crime Scrutiny Group, and (iii) Domestic Abuse Scrutiny Group.

The PCC also sets the Chief Constable's terms of employment, including their salary and annual leave entitlement in line with the Home Office's national guidelines set out in Police Regulations.

The Police and Crime Panel holds the PCC to account.

In addition, the PCC also attends meetings of the Humberside Fire and Rescue Authority, which holds Humberside Fire and Rescue to account, and participates on an informal non-voting basis.

One of the principle ways the PCC holds the Force to account is at the Accountability Board.

Regular topics for discussion at the Accountability Board include:

- Delivery and Performance
- Inspections, Audits and Reviews
- People
- Finance
- Collaboration and Partnerships
- Risks
- Current and Significant Issues

It is important to understand how governance and assurance link together.

The PCC holds the Chief Constable (CC) to account in a number of ways, some formal and some informal, but in general the PCC does this as follows:

<b>CORE ARRANGEMENTS</b>	
<b>Daily</b>	Informal interaction. Enable and encourage spontaneous face-to-face discussions between Chief Officers and PCC/Chief Executive, who may receive: <ul style="list-style-type: none"> <li>• Updates on significant issues</li> <li>• Notification of significant/critical incidents</li> </ul>

<p><b>Joint PCC / CC Briefing</b> (Weekly)</p>	<p><b>Purpose:</b> Closed informal briefing which enables dialogue and discussion on a routine weekly basis. Opportunity for PCC to discuss elements of Police and Crime Plan delivery based on weekly themes, and receive updates on topical issues/operational matters.</p> <p><b>Attendees:</b> PCC/CC/Chief Executive</p>
<p><b>Joint Chief Executive / DCC</b> (Monthly)</p>	<p><b>Purpose:</b> Closed informal briefing which enables dialogue and discussion on a routine monthly basis. Opportunity for Chief Executive and DCC to discuss organisational planning, risks and current/significant issues.</p> <p><b>Attendees:</b> Chief Executive/DCC (PCC attends if required)</p>
<p><b>Accountability Board</b> (Bi-Monthly)</p>	<p><b>Purpose:</b> Bi-monthly formal governance meeting between the PCC/Chief Constable to ensure proper governance of the Force and the OPCC, through open, constructive debate of their respective statutory duties and the efficiency and effectiveness of the Force.</p> <p><b>Attendees:</b> <u>Force:</u> CC, DCC, ACC (Operations), ACC (Communities and Partnerships), ACO (Resources), Head of Corporate Development, Head of Finance and Business Services, Force representatives as appropriate.</p> <p><u>OPCC:</u> PCC, Chief Executive, Chief Finance Officer, Head of Assurance and Statutory Duties, OPCC representatives as appropriate, Chair of the Independent Ethics and Scrutiny Board.</p> <p><b>Agenda:</b> Delivery and Performance: Plan on a Page, Inspections, Audits and Reviews, People, Finance, Collaboration and Partnerships, Risks, Independent Scrutiny, Current and Significant Issues.</p>
<p><b>Assurance Conversations (one-to-ones)</b> (At least quarterly)</p>	<p><b>Purpose:</b> Individual quarterly assurance conversations between the Police and Crime Commissioner (PCC) and Chief Officers/Functional Heads (co-ordinated via the Deputy Chief Constable - DCC) to complement and enhance the Force performance management arrangements/Corporate Governance arrangements, enhance understanding of the PCC around delivery against the Force Plan-on-a-Page and Police and Crime Plan outcomes, and provide the PCC with access to information, officers and staff as required.</p> <p><b>Attendees:</b> <u>Force:</u> Chief Officers/Functional Heads, Force representatives as appropriate.</p> <p><u>OPCC:</u> PCC, Chief Executive, Head of Assurance and Statutory Duties, OPCC representatives as appropriate.</p>

<p style="text-align: center;"><b>Joint Independent Audit Committee</b> <i>(Quarterly)</i></p>	<p><b>Purpose:</b> Quarterly meeting providing independent advice and recommendations to the PCC and Chief Constable on the adequacy of the governance and risk management frameworks, internal controls and financial reporting, annual governance processes and internal and external audit, thereby helping to ensure efficient and effective assurance arrangements are in place.</p> <p><b>Attendees:</b> <u>Independent Members:</u> Seven Independent Members (who are also Members of the Humberside Fire and Rescue Service Governance, Audit and Scrutiny Committee).</p> <p><u>Force:</u> CC (annually), DCC, ACO (Resources), Head of Finance and Business Services, Force representatives as appropriate.</p> <p><u>OPCC:</u> PCC (annually), Chief Executive, Chief Finance Officer, OPCC representatives as appropriate.</p>
<p style="text-align: center;"><b>Independent Ethics and Scrutiny Board</b> <b>[TO BE DEVELOPED]</b> <i>(Quarterly)</i></p>	<p><b>Purpose:</b> Quarterly meeting objectively exploring ethical issues and matters raised by the OPCC Scrutiny Groups (Policing Powers and Hate Crime) in depth and from multiple perspectives, with the purpose of generating genuine and positive organisational learning, informing police and OPCC policy and priorities, challenging things when appropriate and creating openness and transparency.</p> <p><b>Attendees:</b> <u>Independent Members:</u> Independent Chair (or suitably agreed substitute) and Chairs of the OPCC Scrutiny Groups (or nominated representative).</p> <p><u>Force:</u> Assistant Chief Constable (Communities and Partnerships), Force IAG Chair, Force Ethics Lead, Forum Chair, Staff Association Representatives.</p> <p><u>OPCC:</u> Chief Executive, Diversity and Inclusion Manager, Head of Assurance and Statutory Duties, Information and Outcomes Analyst.</p> <p>Others to attend as required at the discretion of the Independent Chair.</p> <p>All to send substitutes where representatives are unavailable.</p>
<p style="text-align: center;"><b>Scrutiny Groups</b> <b>[TO BE DEVELOPED]</b> <i>(Quarterly)</i></p>	<p>Independent Scrutiny Groups:</p> <ul style="list-style-type: none"> <li>• Police Powers Scrutiny Group</li> <li>• Hate Crime Scrutiny Group</li> <li>• Domestic Abuse Scrutiny Group (already in place)</li> </ul> <p>The Police Powers and Hate Crime Scrutiny Groups consist of community volunteers (organisational representatives in the case of the Domestic Abuse Scrutiny Group). The Chair is nominated from membership of each Group and will attend and report to the Independent Ethics and Scrutiny Board.</p>

<b>Complemented By</b>	<ul style="list-style-type: none"><li>• Bespoke briefings from CC/Chief Officers on significant or sensitive issues.</li><li>• Senior OPCC staff attending key Force meetings (e.g. Digital Innovation Board, HMICFRS Governance Board, etc.)</li><li>• OPCC staff conducting further checks/audits.</li><li>• Routine liaison between Senior OPCC staff and Senior Force Staff/Officers on matters including finance, estates, procurement, IT.</li><li>• Feedback from Independent Custody Visitors and Appropriate Adults.</li><li>• Regular meetings with public bodies and Inspectorates (e.g. HMICFRS).</li><li>• Force internal assurance meetings.</li></ul>
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**Paul Wainwright**

**Head of Assurance and Statutory Duties**

**Office of the Police and Crime Commissioner for Humberside**

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## HUMBERSIDE POLICE AND CRIME PANEL

**DATE** 24 November 2020

**REPORT OF** Commissioning and Contracts Manager, Office of the Police and Crime Commissioner (OPCC)

**SUBJECT** General update for OPCC Substance Misuse Commissioning

**STATUS** Open

**1. EXECUTIVE SUMMARY**

1.1 The purpose of this report is to provide the Police and Crime Panel with an update on the work which the OPCC is progressing to lead, develop and support intervention for Substance misuse across Humberside, specifically in relation to criminal justice.

**2. RECOMMENDATIONS**

2.1 It is recommended that Members of the Police and Crime Panel use this report as background information to support oversight of the work of the PCC.

**3. BACKGROUND**

3.1 The OPCC currently contracts with separate Unitary Authorities for the delivery of substance misuse interventions across Humberside.

3.2 The contractual terms vary but are held between the Public Health Director (local authority Client) and the contracted service providers. The OPCC tops up these budgets, the summary of contract terms are:

- An initial 3 year period commenced April 2018 for the South bank
- Hull have a 6 year contract which commenced in 2018
- The Contractual terms facilitates two 12 month options to extend. These are now being used on the south bank
- The combined contractual value is circa £1m per annum and is distributed as follows:

Hull –	£400,000
ERY -	£114,000
NL -	£155,311
NEL -	£291,000
<b>Total –</b>	<b>£960,311 per annum.</b>

- 3.3 The investment is aligned to the police and crime plan aims, putting community safety, and reduction of harm at the heart of the approach.
- 3.4 Evidence shows that being in treatment itself reduces levels of offending, so the Modern Crime Prevention Strategy focuses on the need for treatment, prevention and enforcement to mitigate the impact of drug-related crime. Evidence-based drug and alcohol treatment can help reduce harm to the individual and the local community and deliver real savings, particularly in terms of crime costs.
- 3.5 The OPCC investment specifically includes:
- Screening and referral within Police custody
  - Management of substance misusing offenders within the community, including multi agency work with local partners such as Probation, Police, Courts. To support license conditions and manage those with coexisting substance misuse and offending into treatment
  - Liaison with through the gate services for continuity of care post prison release, Prison Healthcare, Offender Managers and prison visits to ensure continued engagement of treatment both through prison and post release, enabling safety of service users and their families and the wider community. Often this includes;
    - Assess for and deliver community disposals (Alcohol Treatment Requirements / Drug Rehabilitation Requirements)
    - Work across a range of CJ partners to ensure pathways are in place, effective engagement and referrals into structured treatment
    - Engaging clients in structured treatment to prevent further harm
- 3.6 Priority services for those who are vulnerable to serious harm from others. Priority groups include:
- High risk and priority offenders/prison leavers and those involved with Criminal Justice System
  - Offenders where substance misuse is associated with offending behaviour, including: Domestic abuse perpetrators and those subject to Multi Agency Public Protection Arrangements (MAPPA), Multi Agency Tasking and Coordination (MATAC) and Multi Agency Risk Assessment Conference (MARAC)
  - Individuals on discharge from prison
  - Those subject to a court ordered treatment requirements or with a Licence Condition requiring treatment
  - Those residing within Approved Premises

#### 4. CONTEXT: UNDERSTANDING OF THE ISSUES SO FAR:

4.1 There have been considerable landscape changes in terms of policy and positioning of services during the previous 5 years, the PCC has been keen to encourage a review of the delivery of substance misuse interventions with a potential for refreshed commissioning to reflect these changes. Changes of note include;

- Health and Social Care Reform reduced detox and rehab capacity, national spending on addiction reduced considerably during austerity. This picture is reflected within Humberside.
- National Probation reforms emphasised the use of conditional license, created less of a drive for community disposals, such as Drug Rehabilitation Requirements (DRR) and Alcohol Treatment Requirements (ATR)
- Changing drug markets / new and emerging trends placed less emphasis on drug test on arrest in Police Custody, more emphasis on assessment and referral
- Short sentencing and overcrowding in prisons, revolving cycle with absence of evidence based intervention
- Perceived over reliance on prescribed pharmacology but with sub optimal dosing, based on budget restraints
- County Lines and recognition of exploitation of vulnerability within these networks
- Pockets of innovation developing nationally in terms of new and emerging treatments, bespoke criminal justice services, diversion schemes
- Dame Carole Black Review suggesting a re emphasis on harm reduction and engagement, getting back to the evidence of 'what works'. <https://www.gov.uk/government/collections/independent-review-of-drugs-by-professor-dame-carol-black>
- The Dame Carol Black review has been very critical of the current landscape. This video is a very useful overview, presented by Dame Carol Black.: [https://zoom.us/rec/share/g0Gtlo55KFXVrIEHSe9P530-yYDNtHJP6NQQCx5xZ\\_n\\_8WtU-8ue5GkRvjswlsDI.uEdPnmbd4EE5gfhN?startTime=1603292577000](https://zoom.us/rec/share/g0Gtlo55KFXVrIEHSe9P530-yYDNtHJP6NQQCx5xZ_n_8WtU-8ue5GkRvjswlsDI.uEdPnmbd4EE5gfhN?startTime=1603292577000)

4.2 The OPCC has maintained regular contract meetings with all Public Health leads to quality assure and measure progress against Police and Crime plan aims.

4.3 There is a considerable amount of data available on drug treatment within the Police Force Area and Local Authority. This presents local estimates of the prevalence of opiate, alcohol and/or crack cocaine use; key national data for comparison, referral routes and pathways and is an indication of how the partnerships are delivering, local strengths and areas for improvement. This information is derived from the National Drug Treatment Monitoring System (NDTMS) and assists in understanding key performance areas relating to Criminal Justice, tested out with local stakeholders, as presented in the table below:

- There are some positive aspects across the Humber region, notably the engagement of voluntary attenders and numbers engaged in community treatment via criminal justice pathways. These rates in most cases are comparable with national and in some instances greater than national rates
- Local feedback is variable in terms of the relationships between substance misuse and the interface with local criminal justice partners, in particular prison teams and probation officers. Each local authority area has a unique treatment offer, often based on historical arrangements and local requirements
- There are issues with disengagement, increasing levels of service users disengaging within first 12 weeks of treatment
- Low disposals for community orders: Drug Rehabilitation Requirements / Alcohol Treatment Requirements
- Possible sentencing confidence issue with community orders
- High rate of drug related deaths in North Lincs
- Unmet need is particularly high for alcohol and in some areas this also spans across other substances such as crack/cocaine. Although these rates are only slightly higher than national, this may be contributing towards increasing levels acquisitive crime and public order issues within these areas
- Pathways from prison into community treatment are problematic and viewed a priority across all substances and work has progressed across the region in an attempt to explore and address some of these issues
- High levels of churn', revolving door episodes and interaction with criminal justice system, short sentencing for acquisitive crimes has created an absence of through care and destabilised treatment;

#### Substance Misuse Clients in contact with the CJS, Humberside 2020

	NEL	NLC	Hull	East Riding	Total
Opiates	185	178	514	73	<b>950</b>
Non opiates	18	8	23	23	<b>57</b>
Alcohol	41	14	68	68	<b>160</b>
Alc and non op	13	3	35	35	<b>69</b>
<b>Total</b>	<b>257</b>	<b>203</b>	<b>640</b>	<b>136</b>	<b>1236</b>

#### HEADLINES:

- The total number of people in treatment in Humberside who have interaction with the CJS is 1236 (Quarter 2 2020)
- Opiates continues to be the substance which have most interaction with CJS
- All areas except for ER are above national averages for interaction with Criminal Justice (Opiates)
- Continuum of revolving door scenario (arrest, referral, drop out, arrest)
- Despite North Lincs having second lowest in no's this represents the second largest % in the region in relation to all numbers in treatment
- Alcohol and alcohol non opiates is an increasing trend for interaction with CJS

## 5. OPCC COMMISSIONING ACTIVITY

- 5.1 On request of the PCC, the OPCC have led the way in challenging the arrangements for substance misuse and have supported development and led change in the sector. In April 2019 we carried out a Pathway event with the substance misuse workforce, to improve continuity of care from Prison for those with Substance Use Disorders (SUD).
- 5.2 In December 2019 we produced a landscape review for the Humberside Criminal Justice Board, much of this was derived from Public Health England data and local partnership feedback. We think we have understood what the main issues are both in terms of continuity of care and the general gaps in provision for people experiencing SUD within a criminal justice setting and we are starting to test out these initial understandings.
- 5.3 In April 2020, we supported Humberside Police in a successful bid to the Home Office for a Heroin and Crack Action Coordinator Role (HACAC). We are actively working with stakeholders in delivery of the HACAC action plan, aiming to target areas of highest harm within Humberside.
- 5.4 In August and September 2020 we ran substance misuse workshops on the South Bank of Humberside, specifically focussed on Criminal Justice. We connected the partnerships across Health and Justice and introduced possibilities of new treatment technologies (Buvidal). We continue to progress these work streams.
- 5.5 We are currently working in partnership with Humberside Police to pilot a diversion scheme for Acquisitive and Serious Organised Crime on the south bank. To support this pilot we have been working with NHS England and Leeds Community Healthcare Trust to improve the custody assessment process and include assessment for diversion. This pathway also includes Restorative Justice and a conditional element.
- 5.6 We are investigating the low rates of ATR and DRR within the Criminal Justice Board Sub group, a task and finish approach.
- 5.7 We have commenced a research project with Hull university to consider an improved way of assessing alcohol need within emergency settings (FASTr)
- 5.8 We are commencing a workforce consultation via our virtual discussion platform (Delib). We will take the learning from that to inform future options.
- 5.9 We are working with User Voice (National Probation Service) to consider service user experiences in relation to substance misuse within criminal justice pathways. Access to priority groups as those listed at section 3 are desirable. We are particularly interested in the views of those who are not effectively engaging in services / dropping in and out of service.

5.10 We have connected with OPCC offices on a national footprint who are delivering things differently and leading change, Namely West Midlands, Cleveland and most recently the North West. In December we have arranged for a presentation on national best practice in light of diversion schemes and alternative approaches.

5.11 We have developed an options appraisal for decision on a future service model. This will be further informed by the above consultation and engagement with best practice leaders.

## **6. DIRECTION OF TRAVEL AND CONSIDERATIONS FOR THE FUTURE.**

6.1 The OPCC aim to produce a visual strategy outlining future ambitions. This will include the separate components of criminal justice system reform, which have the following substance misuse intervention as a key themes:

- Optimising engagement and reducing harm, a Public Health approach;
- A bespoke and dedicated criminal justice team for substance misuse;
- Humberside diversion scheme and navigation into diversion pathways;
- Restorative approaches and community justice

6.2 The OPCC will continue to consult and engage with key partners to build appetite and develop the market to commission. There are some key areas of imminent legislation, namely the second part of the Dame Carol Black Review. This is likely to present some clear direction on an emphasis on:

- Reducing drug related offending, requiring partnership and cross government commitment.
- Improvement in the accountability of commissioning.
- A review of spending and local accountability.
- Improving the issue of fragmentation.
- A review of national quality standards for services and an improvement in CQC regulation for addiction services.
- Improved integration of local services.

6.3 A key consideration in the Dynamic Commissioning Framework which is being rolled out across Yorkshire and the Humber (Probation reform led investment). The OPCC will seek opportunities to bid for investment into diversion schemes and develop pathways which include meaningful activity for priority groups, such as Integrated Offender Management (IOM) and Prolific offenders.

6.4 The OPCC will seek to ensure that changes to commissioning provide value for money and are affordable whilst demonstrating impact on the Police and Crime Plan aims.

**Stewart Atkinson, Head of Contracts & Commissioning**

**Office of the Police and Crime Commissioner for Humberside**

## HUMBERSIDE POLICE AND CRIME PANEL

**DATE** 24 November 2020

**REPORT OF** Chief Finance Officer, Office of the Police and Crime Commissioner (OPCC)

**SUBJECT** Finance Update

**STATUS** Open

### 1. EXECUTIVE SUMMARY

1.1 The purpose of this report is to provide the Police and Crime Panel with an update on the latest position in relation to the savings plan and an update on the mid-year financial position of the OPCC Group.

### 2. RECOMMENDATIONS

2.1 It is recommended that Members of the Police and Crime Panel use this report as background information to support in oversight of the work of the PCC.

### 3. SAVINGS IN THE MEDIUM TERM RESOURCE STRATEGY (MTRS)

3.1 As part of the PCC's MTRS, the Chief Constable is required to achieve a level of efficiency saving each financial year. The current MTRS for 2020/21 to 2024/25 has the following profile of savings to be achieved over the medium-term:

Year	2020/21	2021/22	2022/23	2023/24	2024/25
Savings requirement (£M)	2.100	2.250	2.150	1.875	1.650

3.2 In order to sustain the investment in policing and to continue to support local policing services in the face of a challenging financial situation, efficiencies will be delivered wherever possible via the following initiatives:

- Corporate Programme of efficiency and continuous improvement reviews;
- Non-pay savings;
- Procurement savings through the continued use of national frameworks;
- Maximising income generation wherever possible.

### 4. SAVINGS 2020-21

4.1 The savings target for the current year 2020/21 is £2.100M and good progress has been made in the achievement of this. Based on information to the end of Period 6 (1 April 2020 to 30 September 2020) £1.711M has been delivered. The majority of this has been achieved through the programme of Corporate efficiency reviews and the management of overtime.

4.2 Achievement of the savings requirement is monitored closely each month as part of the Force's budget monitoring arrangements and the £2.100M target is likely to be achieved in 2020/21.

## 5. MID-YEAR REVIEW 2020-21

5.1 The mid-year review of all budgets has now been completed and has identified in-year pressures of £1.675M and in-year savings of £1.747M have also been identified. The overall financial position is provided below:

	£000
In-year non-pay savings	(1,747)
In-year non-pay pressures	1,675
Pay underspend	(437)
<b>Forecast Underspend</b>	<b>(509)</b>

5.2 The forecast underspend for the whole Group at the end of 2020/21 is predicted to be £0.509M.

## 6. UPDATED RESERVES POSITION

6.1 The level of reserves at the start of 2020/21 was £17.171M. The table below summarises the movements on total reserves:

	£000
Reserves at 1 <sup>st</sup> April 2020	17,171
Agreed carry-forward funding into 2020/21	(352)
Estimated movement in reserves based on the mid-year review 2020/21	630
Forecast Underspend 2020/21	509
<b>Predicted Reserves at 31<sup>st</sup> March 2021</b>	<b>17,958</b>

6.2 The level of reserves will be monitored throughout the budget planning process and details will be provided in the Medium-term resource and Reserves Strategy.

**Kevin Wilson**

**Chief Finance Officer**

**Office of the Police and Crime Commissioner for Humberside**

## HUMBERSIDE POLICE AND CRIME PANEL

### COMPLAINTS REPORT

#### 1. OBJECT AND KEY POINTS IN THIS REPORT

- 1.1 The purpose of this report is to provide the Panel with an update on complaints made against the Humberside Police and Crime Commissioner during the period 1 June 2020 to 31 October 2020.

#### 2. BACKGROUND INFORMATION

- 2.1 The Panel has statutory responsibilities under the Elected Local Policing (Complaints and Misconduct) Regulations 2012 for handling and recording complaints about the conduct of the Humberside Police and Crime Commissioner.
- 2.2 At the Police and Crime Panel meeting on 6 February 2013, members discussed the issue of complaints. The Panel felt that there needed to be a separation of powers, so that the receipt and handling of complaints is not dealt with by the Office of the Police and Crime Commissioner, but by the Police and Crime Panel.
- 2.3 Information about the Panel's complaint handling role and how to make a complaint is set out on the Panel's web site [www.northlincs.gov.uk](http://www.northlincs.gov.uk).
- 2.4 In the absence of any provision or guidance regarding who should handle a complaint made against the Panel itself, it should be noted that each elected Panel Member is subject to their respective appointing Authority's Codes of Conduct. The two independent co-opted members of the Panel have adopted the Code of Conduct of the host authority (North Lincolnshire Council).

#### 3. SUMMARY OF CASES RECEIVED

- 3.1 During the period 1 June 2020 to 31 October 2020, no new complaints had been received against the Police and Crime Commissioner.

#### **4. SUMMARY OF CASES RESOLVED**

4.1 HPCP/13 – The Independent Office for Police Conduct has now published its redacted report into complaint HPCP/13.

#### **5. FREEDOM OF INFORMATION AND PRESS ENQUIRIES**

5.1 There have been no Freedom of Information requests received. There have been nine press enquiries and 2 other questions from members of the public and neighbouring local authorities

#### **6. RECOMMENDATIONS**

6.1 That the report be noted.

#### **SECRETARY OF THE HUMBERSIDE POLICE AND CRIME PANEL**

Church Square House  
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Author: Matthew Nundy  
Date: 10 November 2020

#### **Background Papers used in the preparation of this report**

Police Reform and Social Responsibility Act 2011  
The Elected Local Policing Bodies (Complaints and Misconduct) Regulations 2012  
Local Government Association Guidance Document on Handling Complaints about the Police and Crime Commissioner and their Deputy (December 2012)